

**Journal *of* Proceedings**

**of the**

**Senate**

**of**

**Maryland**

**2012 Regular Session**

**Volume I**

Compiled and edited by:

Donald G. Hopkins  
Journal Clerk

...

William B.C. Addison, Jr.  
Secretary of the Senate

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**Annapolis, Maryland**  
**Wednesday, January 11, 2012**  
**Twelve Noon**

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The Senate met at 11:59 A.M.

Call to Order by the Secretary of the Senate, William B.C. Addison, Jr.

Prayer by Father Peter J. Daly, St. John Vianney Catholic Church, guest of Senator Miller.

(See Exhibit A of Appendix III)

STATE OF MARYLAND, TO WIT:

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

Present at the roll call were the following Senators:

District 1	–	Allegany, Garrett and Washington George C. Edwards
District 2	–	Washington Christopher B. Shank
District 3	–	Frederick and Washington Ronald N. Young
District 4	–	Frederick and Carroll David R. Brinkley
District 5	–	Carroll and Baltimore Joseph M. Getty
District 6	–	Baltimore County Norman R. Stone, Jr.
District 7	–	Baltimore and Harford J.B. Jennings
District 8	–	Baltimore County Katherine A. Klausmeier
District 9	–	Howard and Carroll Allan H. Kittleman
District 10	–	Baltimore County Delores G. Kelley
District 11	–	Baltimore County Robert A. Zirkin

District 12	–	Baltimore County and Howard Edward J. Kasemeyer
District 13	–	Howard James N. Robey
District 14	–	Montgomery Karen S. Montgomery
District 15	–	Montgomery Robert J. Garagiola
District 16	–	Montgomery Brian E. Frosh
District 17	–	Montgomery Jennie M. Forehand
District 18	–	Montgomery Richard S. Madaleno, Jr.
District 19	–	Montgomery Roger Manno
District 20	–	Montgomery Jamie Raskin
District 21	–	Prince George’s and Anne Arundel James Rosapepe
District 22	–	Prince George’s Paul G. Pinsky
District 23	–	Prince George’s Douglas J.J. Peters
District 24	–	Prince George’s Joanne C. Benson
District 25	–	Prince George’s Ulysses Currie
District 26	–	Prince George’s C. Anthony Muse
District 27	–	Prince George’s and Calvert Thomas V. Mike Miller, Jr.
District 28	–	Charles Thomas Mac Middleton
District 29	–	Calvert, Charles and St. Mary’s Roy P. Dyson
District 30	–	Anne Arundel John C. Astle
District 31	–	Anne Arundel Bryan W. Simonaire
District 32	–	Anne Arundel James E. DeGrange, Sr.
District 33	–	Anne Arundel Edward R. Reilly
District 34	–	Harford and Cecil Nancy Jacobs
District 35	–	Harford

District 36	–	Barry Glassman Kent, Queen Anne’s, Cecil and Caroline E.J. Pipkin
District 37	–	Caroline, Dorchester, Talbot and Wicomico Richard F. Colburn
District 38	–	Somerset, Wicomico and Worcester James N. Mathias, Jr.
District 39	–	Montgomery Nancy J. King
District 40	–	Baltimore City Catherine E. Pugh
District 41	–	Baltimore City Lisa A. Gladden
District 42	–	Baltimore County James Brochin
District 43	–	Baltimore City Joan Carter Conway
District 44	–	Baltimore City Verna L. Jones–Rodwell
District 45	–	Baltimore City Nathaniel J. McFadden
District 46	–	Baltimore City Bill Ferguson
District 47	–	Prince George’s Victor R. Ramirez

Forty–seven Senators having answered to their names, the Secretary announced that a quorum being present, the Senate of Maryland, 2012 Session is now ready for the transaction of business.

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

The Honorable Bill Ferguson nominated the Honorable Nathaniel McFadden as President Pro Tem. The nomination was seconded by the Honorable Lisa Gladden. There being no further nominations, the roll was then called which resulted in the election of the Honorable Nathaniel McFadden as President Pro Tem.

The roll call vote resulted as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 9)

The Honorable Catherine E. Pugh and the Honorable Edward R. Reilly were appointed to escort the President Pro Tem to the Chair.

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

Remarks by the President Pro Tem, Senator Nathaniel McFadden.

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

The Honorable Nancy J. King, seconded by the Honorable Joanne C. Benson and the Honorable Robert A. Zirkin, nominated the Honorable Thomas V. Mike Miller, Jr. for the President of the Senate.

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

The roll call vote resulted as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 10)

The Honorable Robert J. Garagiola and the Honorable E. J. Pipkin were appointed to escort the President to the Chair.

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

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

## ORDERS

January 11, 2012

### ORDER

BY THE MAJORITY LEADER:

ORDERED, BY THE SENATE OF MARYLAND, That, for the Regular Legislative Session of 2012, the Senate adopts the Rules, with the exception of Rule 116, as in effect at the end of the Special Legislative Session of 2011.

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

Affirmative – 47    Negative – 0    (See Roll Call No. 11)

Senator Klausmeier moved to make **Rule 116** a Special Order until January 18, 2012.

The motion was adopted.

January 11, 2012

## ORDER

BY THE MAJORITY LEADER:

RESOLVED, that the following Desk Officers be, and are hereby elected to serve, during the Legislative Session of 2012:

Secretary of the Senate	–	William B.C. Addison, Jr.
Assistant to the Secretary	–	Melissa A. Ross
Assistant to the Secretary	–	Nicole M. Xander
Journal Clerk	–	Donald G. Hopkins
Assistant Journal Clerk	–	Dorothy D. Chaney
Reading Clerk	–	Lynne B. Porter
Proceedings Clerk	–	Johanne H. Greer
Chief Page	–	Donna L. Horgan

By Order,

William B. C. Addison, Jr.  
Secretary of the Senate

Read and adopted by roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 12)

January 11, 2012

## ORDER

BY THE MAJORITY LEADER:

ORDERED, That the monies appropriated for the expense of this Legislative Session of 2012, as set forth in the Appropriation Bill, be paid upon the joint order of the President of the Senate and the Speaker of the House of Delegates.

By Order,

William B. C. Addison, Jr.  
Secretary of the Senate

Read and adopted.

January 11, 2012

### ORDER

BY THE MAJORITY LEADER:

ORDERED, That the President shall appoint the employees necessary for the proper transaction of the business of this Regular Legislative Session of 2012, as provided for in the Budget, this order to remain in effect until changed or modified by the Senate.

By Order,

William B. C. Addison, Jr.  
Secretary of the Senate

Read and adopted.

### ANNOUNCEMENT

January 11, 2012

The President makes the following announcement:

Majority Leader –	Senator Robert J. Garagiola
Deputy Majority Leader –	Senator Catherine E. Pugh
Assistant Deputy Majority Leader –	Senator James N. Robey
Majority Whips –	Senator Lisa A. Gladden Senator Jamie Raskin
Deputy Majority Whip –	Senator James C. Rosapepe
Assistant Deputy Majority Whip –	Senator Nancy J. King

Read and ordered journalized.

**ANNOUNCEMENT**

The President makes the following appointments to the legislative standing committees pursuant to Senate Rule 18(a)(1); the appointments are effective as of January 11, 2012.

**BUDGET AND TAXATION**

Senator Edward J. Kasemeyer, Chairman  
Senator Nathaniel J. McFadden, Vice–Chairman

Senator David R. Brinkley  
Senator Richard F. Colburn  
Senator Ulysses Currie  
Senator James E. DeGrange, Sr.  
Senator George C. Edwards  
Senator Verna L. Jones–Rodwell

Senator Nancy J. King  
Senator Richard S. Madaleno, Jr.  
Senator Roger Manno  
Senator Douglas J.J. Peters  
Senator James N. Robey

**EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE**

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

Senator Joanne C. Benson  
Senator Bill Ferguson  
Senator J.B. Jennings  
Senator Karen S. Montgomery  
Senator Paul G. Pinsky

Senator Edward R. Reilly  
Senator James C. Rosapepe  
Senator Bryan W. Simonaire  
Senator Ronald N. Young

**FINANCE COMMITTEE**

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

Senator Robert J. Garagiola  
Senator Barry Glassman  
Senator Delores G. Kelley  
Senator Allan H. Kittleman  
Senator Katherine A. Klausmeier

Senator James N. Mathias, Jr.  
Senator C. Anthony Muse  
Senator E.J. Pipkin  
Senator Catherine E. Pugh

**JUDICIAL PROCEEDINGS COMMITTEE**

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

Senator James Brochin  
 Senator Joseph M. Getty  
 Senator Jennie M. Forehand  
 Senator Nancy Jacobs  
 Senator Victor R. Ramirez

Senator Jamie B. Raskin  
 Senator Christopher B. Shank  
 Senator Norman R. Stone, Jr.  
 Senator Robert A. Zirkin

**RULES COMMITTEE**

Senator Katherine A. Klausmeier, Chairman  
 Senator Brian E. Frosh, Vice–Chairman

Senator David R. Brinkley  
 Senator Richard F. Colburn  
 Senator Ulysses Currie  
 Senator Roy P. Dyson  
 Senator George C. Edwards

Senator Edward J. Kasemeyer  
 Senator Nathaniel J. McFadden  
 Senator Thomas M. Middleton  
 Senator Thomas V. Mike Miller, Jr.

**ANNOUNCEMENT**

The President makes the following appointments to continuing committee pursuant to Senate Rule 18(a)(2). The appointments are effective as of January 11, 2012.

**EXECUTIVE NOMINATIONS**

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

Senator David R. Brinkley  
 Senator Richard F. Colburn  
 Senator Joan Carter Conway  
 Senator Ulysses Currie  
 Senator George C. Edwards  
 Senator Jennie M. Forehand  
 Senator Brian E. Frosh  
 Senator Robert J. Garagiola

Senator Edward J. Kasemeyer  
 Senator Allan H. Kittleman  
 Senator Katherine Klausmeier  
 Senator Nathaniel J. McFadden  
 Senator Thomas M. Middleton  
 Senator Thomas V. Mike Miller, Jr.  
 Senator E.J. Pipkin  
 Senator Norman R. Stone, Jr.

**STANDING COMMITTEE ON REDISTRICTING AND REAPPORTIONMENT**

Senator James N. Robey, Chairman  
Senator Nancy J. King, Vice–Chairman  
Senator Catherine E. Pugh, Vice–Chairman

Senator Joanne C. Benson	Senator Joseph M. Getty
Senator Richard F. Colburn	Senator Nancy Jacobs
Senator Joan Carter Conway	Senator Edward J. Kasemeyer
Senator James E. DeGrange, Sr.	Senator Nathaniel J. McFadden
Senator George C. Edwards	Senator Thomas M. Middleton
Senator Brian E. Frosh	Senator Victor R. Ramirez

**ANNOUNCEMENT**

The President makes the following appointments to the statutory committees and joint committees; the appointments are effective as of January 11, 2012.

**LEGISLATIVE POLICY COMMITTEE**

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

Senator John C. Astle	Senator Robert J. Garagiola
Senator David R. Brinkley	Senator Edward J. Kasemeyer
Senator Joan Carter Conway	Senator Nathaniel J. McFadden
Senator Richard Colburn	Senator Thomas M. Middleton
Senator Ulysses Currie	Senator E. J. Pipkin
Senator James E. DeGrange, Sr.	Senator Norman R. Stone, Jr.
Senator Brian E. Frosh	

**JOINT COMMITTEE ON ADMINISTRATIVE, EXECUTIVE,  
AND LEGISLATIVE REVIEW (AELR)**

Senator Paul G. Pinsky, Senate Chairman

Senator John C. Astle	Senator Lisa A. Gladden
Senator David R. Brinkley	Senator Nancy Jacobs
Senator James Brochin	Senator Norman R. Stone, Jr.
Senator Richard F. Colburn	Senator Robert A. Zirkin
Senator Jennie M. Forehand	

**JOINT AUDIT COMMITTEE**

Senator James C. Rosapepe, Senate Chairman

Senator John C. Astle  
Senator David R. Brinkley  
Senator Ulysses Currie  
Senator George C. Edwards  
Senator Verna L. Jones–Rodwell

Senator Richard S. Madaleno, Jr.  
Senator Nathaniel J. McFadden  
Senator E.J. Pipkin  
Senator Catherine E. Pugh

**JOINT COMMITTEE ON BASE REALIGNMENT AND CLOSURE**

Senator Roy P. Dyson, Senate Chairman

Senator James E. DeGrange, Sr.  
Senator Nancy Jacobs  
Senator Allan H. Kittleman  
Senator Katherine A. Klausmeier

Senator Richard S. Madaleno, Jr.  
Senator Douglas J. J. Peters  
Senator James C. Rosapepe

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

Senator Roy P. Dyson, Senate Chairman

Senator Richard F. Colburn  
Senator E.J. Pipkin

Senator Jamie Raskin  
Senator Bryan W. Simonaire

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

Senator Nancy J. King, Senate Chairman

Senator Joanne C. Benson  
Senator Joan Carter Conway  
Senator Bill Ferguson  
Senator Jennie M. Forehand

Senator Karen S. Montgomery  
Senator E. J. Pipkin  
Senator Edward R. Reilly

**JOINT COMMITTEE ON FAIR PRACTICES AND STATE PERSONNEL  
OVERSIGHT**

Senator C. Anthony Muse, Senate Chairman

Senator Roy P. Dyson

Senator Barry Glassman

**JOINT COMMITTEE ON FEDERAL RELATIONS**

Senator Jennie M. Forehand, Senate Chairman

Senator Robert J. Garagiola  
Senator Verna L. Jones–Rodwell  
Senator Roger Manno  
Senator Douglas J.J. Peters

Senator Jamie Raskin  
Senator James C. Rosapepe  
Senator Christopher B. Shank

**JOINT COMMITTEE ON HEALTH CARE DELIVERY AND FINANCING**

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

Senator Edward J. Kasemeyer  
Senator Roger Manno  
Senator C. Anthony Muse

Senator E.J. Pipkin  
Senator Catherine E. Pugh

**JOINT INFORMATION TECHNOLOGY AND BIOTECHNOLOGY  
COMMITTEE**

Senator James C. Rosapepe, Senate Chairman

Senator John C. Astle  
Senator Ulysses Currie  
Senator Jennie M. Forehand

Senator Robert J. Garagiola  
Senator E.J. Pipkin

**JOINT ADVISORY COMMITTEE ON LEGISLATIVE DATA SYSTEMS**

Senator James N. Robey, Senate Chairman

Senator J.B. Jennings  
Senator Richard S. Madaleno, Jr.

Senator James C. Rosapepe

**JOINT COMMITTEE ON LEGISLATIVE ETHICS**

Senator Norman R. Stone, Jr., Senate Chairman

Senator Roy P. Dyson  
Senator Joseph M. Getty  
Senator Nancy Jacobs

Senator Nathaniel J. McFadden  
Senator Jamie Raskin

**JOINT COMMITTEE ON THE MANAGEMENT OF PUBLIC FUNDS**

Senator Verna L. Jones–Rodwell, Senate Chairman

Senator Ulysses Currie  
Senator Jennie M. Forehand

Senator Edward R. Reilly

**JOINT COMMITTEE ON ACCESS TO MENTAL HEALTH SERVICES**

Senator Douglas J.J. Peters, Senate Chairman

Senator Joan Carter Conway  
Senator Robert J. Garagiola

Senator Karen S. Montgomery  
Senator Christopher B. Shank

**JOINT COMMITTEE ON OPEN GOVERNMENT AND TRANSPARENCY**

Senator Bill Ferguson, Senate Chairman

Senator Joseph M. Getty  
Senator J. B. Jennings  
Senator Nancy J. King

Senator Katherine A. Klausmeier  
Senator Nathaniel J. McFadden

**JOINT COMMITTEE ON PENSIONS**

Senator Verna L. Jones–Rodwell, Chairman

Senator David R. Brinkley  
Senator Ulysses Currie  
Senator George C. Edwards  
Senator Edward J. Kasemeyer

Senator Richard S. Madaleno, Jr.  
Senator Nathaniel J. McFadden  
Senator James N. Robey

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

Senator Thomas M. Middleton, Senate Chairman

Senator George C. Edwards  
Senator Barry Glassman

Senator James N. Mathias, Jr.  
Senator Ronald N. Young

**JOINT COMMITTEE ON PROTOCOL**

Senator Jennie M. Forehand, Senate Co–Chairman  
Senator Barry Glassman, Senate Co–Chairman

Senator James E. DeGrange, Sr.

Senator Katherine A. Klausmeier

**JOINT COMMITTEE ON SPENDING AFFORDABILITY**

Senator James E. DeGrange, Sr., Senate Chairman

Senator David R. Brinkley  
Senator Ulysses Currie  
Senator George C. Edwards  
Senator Robert J. Garagiola  
Senator Edward J. Kasemeyer

Senator Richard S. Madaleno, Jr.  
Senator Nathaniel J. McFadden  
Senator Thomas M. Middleton  
Senator Thomas V. Mike Miller, Jr.  
Senator E.J. Pipkin

**JOINT COMMITTEE ON UNEMPLOYMENT INSURANCE OVERSIGHT**

Senator Thomas M. Middleton, Senate Chairman

Senator Barry Glassman

Senator Delores G. Kelley

**JOINT COMMITTEE ON WELFARE REFORM**

Senator Lisa A. Gladden, Senate Chairman

Senator Joanne C. Benson  
Senator Bill Ferguson

Senator E.J. Pipkin  
Senator Victor R. Ramirez

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

Senator Katherine A. Klausmeier, Senate Chairman  
Senator Allan H. Kittleman

**SPECIAL COMMITTEE ON ETHICS REFORM**

Senator Jamie Raskin, Senate Chairman

Senator Bill Ferguson  
Senator Joseph M. Getty

Senator Victor R. Ramirez  
Senator James N. Robey

Senator Nathaniel J. McFadden

Senator Bryan W. Simonaire

Read and ordered journalized.

### ANNOUNCEMENT

January 11, 2012

The Senate Minority Caucus met on November 1, 2011 for the purpose of electing the Minority floor leaders for the 2012 Legislative Session. The following members have been selected:

Minority Leader: Honorable E. J. Pipkin – District 36

Minority Whip: Honorable Edward R. Reilly – District 33

Read and ordered journalized.

### MESSAGE TO THE SENATE

January 11, 2012

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 six members, four 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 McHale, A. Miller, Olszewski and Pena–Melnik.

BY ORDER,

Mary Monahan  
Chief Clerk

Read and ordered journalized.

### MESSAGE TO THE HOUSE OF DELEGATES

January 11, 2012

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 Garagiola and Pipkin.

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

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

#### MESSAGE TO THE EXECUTIVE

January 11, 2012

By the Majority Leader,

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

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

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

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

#### MESSAGE FROM THE EXECUTIVE

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

January 11, 2012

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

Dear President Miller:

In accordance with Article II, § 11 of the Constitution of Maryland, I am pleased to submit for confirmation by the Maryland State Senate, appointments made during the 2011 Recess of the General Assembly. I am confident you will find these individuals to be well qualified for their respective offices and deserving of your support for appointment confirmation.

Sincerely,

Governor

**GUBERNATORIAL RECESS APPOINTMENTS TO STATEWIDE BOARDS  
 REQUIRING SENATE CONFIRMATION  
 2012 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

AFRICAN AMERICAN HISTORY AND CULTURE, COMMISSION ON	
Clara L. Small, Ph.D. 409–J Moss Hill Lane Salisbury, Maryland 21804 Wicomico/37	Appointment Member Term of 4 years from July 1, 2010
Theodore H. Mack 619 Woodsmans Way Crownsville, Maryland 21032 Anne Arundel/33	Reappointment Member Term of 4 years from July 1, 2011
Cheryl LaRoche, Ph.D. 5333 Strathmore Avenue Kensington, Maryland 20895 Montgomery/16	Reappointment Member Term of 4 years from July 1, 2011
Barbara J. Mobarak 16 Estates Court, Apt. 6104 Pikesville, Maryland 21208 Baltimore County/11	Appointment Member Term to expire June 30, 2013
Michael G. Kent	Appointment

1925 Kings Landing Road Huntingtown, Maryland 20639 Calvert/27	Member Term to expire June 30, 2014
Dale Glenwood Green 1305 Northview Road Baltimore, Maryland 21218 Baltimore City/43	Appointment Member Term to expire June 30, 2015
Lyndra Levin Marshall 1600 Fairlakes Place Bowie, Maryland 20721 Prince George's/25	Appointment Member Term to expire June 30, 2013
AGRICULTURAL AND RESOURCE-BASED INDUSTRY DEVELOPMENT CORPORATION (MARBIDCO), BOARD OF DIRECTORS OF MARYLAND	
Phyllis E. Kilby 795 Firetower Road Colora, Maryland 21917 Cecil/34	Reappointment Agricultural Producer Term of 4 years from July 1, 2011
James Robert Frazee 713 Lythe Hill Court Westminster, Maryland 21158 Carroll/05	Reappointment Commercial Lending Term of 4 years from July 1, 2008
Joseph E. Chisholm, Sr. 1324 Hillman Road Pocomoke, Maryland 21851 Worcester/38	Reappointment Commercial Lending Term of 4 years from July 1, 2010
Peter P. Alexander 900 Sapphire Court Salisbury, Maryland 21804 Wicomico/38	Reappointment Timber/Forest Term of 4 years from July 1, 2008
Douglas Lipton, Ph.D. 316 Kimblewick Drive Silver Spring, Maryland 20904 Montgomery/14	Appointment Aquaculture Term of 4 years from July 1, 2009
Sarah J. O'Herron 9519 Bruce Drive Silver Spring, Maryland 20901 Montgomery/18	Appointment Food/Fiber Processing Remainder of a term of 4 years from July 1, 2007 and a term of 4 years from July 1, 2011
Howard D. Leathers, Ph.D. 6915 Carleton Terrace College Park, Maryland 20740 Prince George's/21	Reappointment Public Finance Term of 4 years from July 1, 2008

Faith Elliott Rossing 3601 Goldsboro Road Henderson, Maryland 21640 Queen Anne's/36	Reappointment Rural Economic Development Term of 4 years from July 1, 2011
Pamela N. Saul 3031 Mount Carmel Cemetery Road Brookeville, Maryland 20833 Montgomery/14	Appointment Relevant Experience Term of 4 years from July 1, 2009
APPALACHIAN STATES LOW-LEVEL RADIOACTIVE WASTE COMMISSION	
Robert M. Summers, Ph.D. 515 Anneslie Road Towson, Maryland 21212 Baltimore County/42	Appointment Member Term of 2 years from May 7, 2011
Edward C. Hammerberg 1477 Roland Heights Avenue Baltimore, Maryland 21211 Baltimore City/40	Appointment Alternate Term of 2 years from May 7, 2011
Joshua M. Sharfstein, M.D. 5820 Pimlico Road Baltimore, Maryland 21209 Baltimore City/41	Appointment Member Term of 2 years from May 7, 2011
Clifford Seth Mitchell, M.D. 5705 Woodcrest Avenue Baltimore, Maryland 21215 Baltimore City/41	Reappointment Alternate Term of 2 years from May 7, 2011
APPEALS, MARYLAND COURT OF	
Hon. Robert N. McDonald 361 Rowe Boulevard Annapolis, Maryland 21401 Baltimore County/42	Appointment Judge Term of 10 years from January 24, 2012
APPEALS, MARYLAND COURT OF SPECIAL	
Hon. Stuart Ross Berger 361 Rowe Boulevard Annapolis, Maryland 21401 Baltimore City/43	Appointment Judge Term of 10 years from January 25, 2012
APPRENTICESHIP AND TRAINING COUNCIL	
Larry R. Greenhill, Sr. 7903 Hastings Lane Clinton, Maryland 20735 Prince George's/25	Reappointment Employee Term of 4 years from July 1, 2011

Edwin A. Cluster, Jr. 19801 Valley Mill Road Freeland, Maryland 21053 Baltimore County/05	Reappointment Employer Representative Term of 4 years from July 1, 2009
Michelle L. Butt 11464 Old Frederick Road Marriottsville, Maryland 21104 Howard/09	Reappointment Employer Representative Term of 4 years from July 1, 2011
ARCHITECTS, STATE BOARD OF	
Paul D. Edmeades 1418 Saratoga Drive Bel Air, Maryland 21014 Harford/35	Reappointment Architect Term of 5 years from July 1, 2011
ARTS COUNCIL, MARYLAND STATE	
Susanna Nemes, Ph.D. 18303 Wickham Road Olney, Maryland 20832 Montgomery/19	Reappointment Member Term of 3 years from July 1, 2011
Nilimma S. Devi 1525 Forest Glen Road Silver Spring, Maryland 20910 Montgomery/18	Reappointment Member Term of 3 years from July 1, 2011
Carol Trawick 6600 Elgin Lane Bethesda, Maryland 20817 Montgomery/16	Appointment Member Term of 3 years from July 1, 2011
ASSISTIVE TECHNOLOGY LOAN PROGRAM BOARD OF DIRECTORS	
Sue C. Lin 2114 Darcy Green Place Silver Spring, Maryland 20910 Montgomery/18	Reappointment Finance Expertise Term of 4 years from October 1, 2011
Joshua L. Friedman, Esq. 3022 Temple Gate Road Baltimore, Maryland 21209 Baltimore City/41	Reappointment Finance Expertise Term of 4 years from October 1, 2011
Margaret L. M. Maxberry 8101 Eastern Avenue, #413 Silver Spring, Maryland 20910 Montgomery/20	Reappointment Finance Expertise Term of 4 years from October 1, 2011
Ethelette Wright Ennis 4017 St. Monica Drive	Reappointment Disability Community

Baltimore, Maryland 21222 Baltimore County/06	Term of 4 years from October 1, 2011
Regina V. Lee–Byrd 7825 Mandan Road, #104 Greenbelt, Maryland 20770 Prince George's/22	Reappointment Disability Community Term of 4 years from October 1, 2011
Lawrence Nathaniel Adams 712 Teal Court Havre de Grace, Maryland 21078 Harford/34	Reappointment Disability Community Term of 4 years from October 1, 2011
Mollyne R. Honor 3707 Beech Avenue Baltimore, Maryland 21211 Baltimore City/40	Reappointment Finance Expertise Term of 4 years from October 1, 2011
AUTOMOBILE INSURANCE FUND, BOARD OF TRUSTEES OF THE MARYLAND	
Mei Ching Lee, Ph.D. 6483 Tydings Road Eldersburg, Maryland 21784 Carroll/09	Appointment Member Serves at the pleasure of the Governor
Timothy J. Murphy, Esq. 108 La Grange Avenue La Plata, Maryland 20646 Charles/28	Appointment Member Serves at the pleasure of the Governor
AVIATION COMMISSION, MARYLAND	
Erwin L. Greenberg 3448 Butler Road Glyndon, Maryland 21071 Baltimore County/05	Appointment Member Remainder of a term of 3 years from October 1, 2010
BOILER RULES, BOARD OF	
Carey M. Dove 1040 Old Woodbine Road Woodbine, Maryland 21792 Howard/09	Reappointment Owner/User of Pressure Vessels Term of 4 years from January 1, 2012
Ashwani K. Gupta, Ph.D. 9017 51st Avenue P.O. Box 773 College Park, Maryland 20740 Prince George's/21	Reappointment Mechanical Engineer Term of 4 years from January 1, 2012
Leonard Billian 10751 Falls Road	Reappointment Engineer with Experience

P.O. Box 1387 Brooklandville, Maryland 21022 Baltimore County/42	Term of 4 years from January 1, 2012
CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY	
Mark L. Widmyer 12413 Butler Drive Cumberland, Maryland 21502 Allegany/01	Appointment Member Term of 4 years from June 1, 2011
CHESAPEAKE AND ATLANTIC COASTAL BAYS, CRITICAL AREA COMMISSION FOR THE	
Laurie R. Feinberg 3411 University Place Baltimore, Maryland 21218 Baltimore City/43	Reappointment City – Appointed/Elected Term of 4 years from July 1, 2011
Hon. Gerald W. Clark 175 Main Street Prince Frederick, Maryland 20678 Calvert/29	Appointment Calvert – Appointed/Elected Term of 4 years from July 1, 2011
James F. Gesl, D.D.S. 11230 Keokee Court Swan Point, Maryland 20645 Charles/28	Appointment Charles – Citizen Term of 4 years from July 1, 2011
CHIROPRACTIC AND MASSAGE THERAPY EXAMINERS, STATE BOARD OF	
David A. Cox 12502 Plaza Place Rockville, Maryland 20853 Montgomery/19	Appointment Massage Therapist Remainder of a term to expire June 30, 2011 and a term of 4 years from July 1, 2011
CIVIL RIGHTS, COMMISSION ON	
Gina McKnight Smith, Pharm.D. 8706 Winands Road Randallstown, Maryland 21133 Baltimore County/11	Appointment Member Term of 6 years from July 1, 2009
Robert L. Baum, Esq. 6308 Marywood Road, Unit B Bethesda, Maryland 20817 Montgomery/16	Appointment Member Term of 6 years from July 1, 2009
Rabbi Binyamin Y. Marwick 2807 Laurelwood Court Baltimore, Maryland 21209	Appointment Member Term of 6 years from July 1, 2011

Baltimore County/42	
CLEAN ENERGY CENTER, BOARD OF DIRECTORS OF THE MARYLAND	
Michele N. Peterson 8932 Sahalee Court Pasadena, Maryland 21122 Anne Arundel/31	Appointment Clean Energy Industry Remainder of a term to expire June 30, 2011 and a term of 4 years from July 1, 2011
Eric D. Wachsman 9469 Lovat Road Fulton, Maryland 20759 Howard/13	Reappointment Non-profit Clean Energy Research Term of 4 years from July 1, 2011
COLLECTION AGENCY LICENSING BOARD	
Stephen D. Hannan, Esq. 10349 Sixpence Circle Columbia, Maryland 21044 Howard/12	Appointment Consumer Remainder of a term of 4 years from July 1, 2010
COMMUNITY SERVICES REIMBURSEMENT RATE COMMISSION	
Jillian Aldebron 315 Ethan Allen Avenue Takoma Park, Maryland 20912 Montgomery/20	Appointment No Connection – Chair Term of 3 years from October 1, 2011
Marshall W. Jones, Jr. 1727 N. Broadway Baltimore, Maryland 21213 Baltimore City/45	Appointment No Connection Term of 3 years from October 1, 2011
Kia Brown 9977 Tuscarora Road Randallstown, Maryland 21133 Baltimore County/10	Appointment No Connection Term of 3 years from October 1, 2011
Timothy R. Wiens 12113 Kerwood Road Silver Spring, Maryland 20904 Montgomery/20	Appointment Member Term of 3 years from October 1, 2011
Jeffrey W. Richardson 1305 Denby Road Towson, Maryland 21286 Baltimore County/42	Reappointment Member Term of 3 years from October 1, 2011
Thomas M. Sizemore 211 Dallam Avenue Bel Air, Maryland 21014 Harford/35	Appointment Member Term of 3 years from October 1, 2011

CONSUMER COUNCIL	
Tamara Davis Brown, Esq. P.O. Box 1292 Clinton, Maryland 20735 Prince George's/27	Reappointment Business Group Term of 6 years from July 1, 2010
Wyatt K. Wallace 283 Poplar Point Road Perryville, Maryland 21903 Cecil/34	Reappointment Public Sector Term of 6 years from July 1, 2010
Patricia Tilley Song P.O. Box 717 Fallston, Maryland 21047 Harford/35	Appointment Business Group Term of 6 years from July 1, 2010
CORRECTIONAL STANDARDS, COMMISSION ON	
Wendell M. France 1855 Carnoustie Court Finksburg, Maryland 21048 Carroll/05	Appointment State Correctional Term of 3 years from July 1, 2011
DEAF AND HARD OF HEARING, MARYLAND ADVISORY COUNCIL ON THE	
Nancy G. Jenkins, Esq. 1226 Pine Avenue Shady Side, Maryland 20764 Anne Arundel/30	Appointment Hearing Impaired Remainder of a term of 3 years from October 1, 2009
Nwokoma Sampson 9215 Traders Crossing #C Laurel, Maryland 20723 Howard/13	Appointment Hearing Impaired Remainder of a term of 3 years from October 1, 2008 and a term of 3 years from October 1, 2011
Carl Wayne Davis 45572 Happyland Road Valley Lee, Maryland 20692 St. Mary's/29	Appointment Hearing Impaired Remainder of a term of 3 years from October 1, 2008 and a term of 3 years from October 1, 2011
Stacey Farone 18014 Lappans Road Fairplay, Maryland 21733 Washington/02	Appointment Maryland School for the Deaf Remainder of a term of 3 years from October 1, 2009
Kathleen D. Heck, Ph.D. 9203 Crutchfield Lane Bowie, Maryland 20720 Prince George's/23	Appointment MSDE Term of 3 years from October 1, 2010

Lisa Jordan 28 E. Magnolia Avenue Hagerstown, Maryland 21742 Washington/02	Appointment Private Remainder of a term of 3 years from October 1, 2010
DEAF, BOARD OF TRUSTEES OF THE MARYLAND SCHOOL FOR THE	
Shane H. Feldman 10915 Oakcrest Circle New Market, Maryland 21774 Frederick/04	Appointment Deaf Term of 6 years from October 1, 2010
Cynthia Neese Bailes, Ph.D. 9220 Manchester Road Silver Spring, Maryland 20901 Montgomery/20	Reappointment Deaf Term of 6 years from October 1, 2010
Robin T. Kittleman 3030 Kittleman Lane West Friendship, Maryland 21794 Howard/09	Reappointment Member Term of 6 years from October 1, 2010
Roslyn M. Hannibal–Booker 9526 Perry Hall Boulevard, #303 Baltimore, Maryland 21236 Baltimore County/08	Reappointment Member Term of 6 years from October 1, 2010
Joseph B. Smail, Ph.D. 2433 Eastern Avenue Baltimore, Maryland 21224 Baltimore City/46	Appointment Member Term of 6 years from October 1, 2010
DENTAL EXAMINERS, STATE BOARD OF	
Sonia A. Stockton 5921 Simmonds Avenue Baltimore, Maryland 21215 Baltimore City/41	Appointment Consumer Remainder of a term of 4 years from June 1, 2009
DISTRICT COURT OF MARYLAND – DISTRICT 3 – CAROLINE, CECIL, KENT, QUEEN ANNE’S AND TALBOT COUNTIES	
Hon. Frank M. Kratovil, Jr. 120 Broadway Centreville, Maryland 21617 Queen Anne’s/36	Appointment Judge – Queen Anne’s County Term of 10 years from January 30, 2012
ECONOMIC DEVELOPMENT COMMISSION, MARYLAND	
Tracy Tyler 3536 Indian Grant Road East New Market, Maryland 21631 Dorchester/37	Appointment Lower Eastern Shore Term of 3 years from July 1, 2009

Paul D. Ausley 43962 Woodmont Drive Leonardtwn, Maryland St. Mary's/29	Appointment Southern Maryland Term of 3 years from July 1, 2011
Janis M. Russell 1600 Mt. Aetna Road Frostburg, Maryland 21532 Garrett/01	Appointment Allegany and Garrett Counties Term of 3 years from July 1, 2011
David A. Severn, Esq. 4620 Deer Spring Road Middletown, Maryland 21769 Frederick/03	Appointment Carroll, Frederick and Washington Counties Term of 3 years from July 1, 2011
Thomas Burlin 9763 Hawkins Creamery Road Laytonsville, Maryland 20882 Montgomery/14	Appointment Member Term of 3 years from July 1, 2011
A. Nayab Siddiqui 7005 Woodscape Drive Clarksville, Maryland 21029 Howard/13	Appointment Member Term of 3 years from July 1, 2010
Maria Beckett 6220 April Brook Circle P.O. Box 6421 Columbia, Maryland 21045 Howard/13	Appointment Member Term of 3 years from July 1, 2011
John J. McLaughlin 1310 William Street Baltimore, Maryland 21230 Baltimore City/46	Reappointment Member Term of 3 years from July 1, 2011
Susan J. Ganz 11103 Valley Heights Drive Owings Mills, Maryland 21117 Baltimore County/11	Reappointment Member Term of 3 years from July 1, 2011
Seth Goldman 4848 Chevy Chase Boulevard Chevy Chase, Maryland 20815 Montgomery/16	Appointment Member Term of 3 years from July 1, 2011
<b>ECONOMIC DEVELOPMENT CORPORATION (MEDCO) BOARD OF DIRECTORS</b>	
Hon. Jennifer R. Terrasa 3430 Courthouse Drive Ellicott City, Maryland 21043	Reappointment Local Government Term of 4 years from July 1, 2010

Howard/13	
Dana Brewington Stebbins, Esq. 11818 Bishops Content Mitchellville, Maryland 20721 Prince George's/23	Reappointment Commercial Term of 4 years from July 1, 2011
Douglas Millard Hoffberger 5602 Waycrest Lane Baltimore, Maryland 21210 Baltimore City/41	Reappointment Industrial Term of 4 years from July 1, 2011
Martin G. Knott, Jr. 6309 Pinehurst Road Baltimore, Maryland 21212 Baltimore County/42	Reappointment Commercial Term of 4 years from July 1, 2011
<b>EDUCATION, STATE BOARD OF</b>	
Luisa Montero–Diaz 432 Lincoln Avenue Takoma Park, Maryland 20912 Montgomery/20	Reappointment Member Term of 4 years from July 1, 2011
Mary Kay Finan, Ed.D. 531 Washington Street Cumberland, Maryland 21502 Allegany/01	Reappointment Member Term of 4 years from July 1, 2011
Sayed M. Naved 14617 Snapdragon Circle North Potomac, Maryland 20878 Montgomery/15	Reappointment Member Term of 4 years from July 1, 2011
Nina E. Marks 2210 Westridge Road Timonium, Maryland 21093 Baltimore County/42	Appointment Student Term of 1 year from July 1, 2011
<b>ELECTRICIANS, STATE BOARD OF MASTER</b>	
Robert D. Welborne 13100 Tobacco Trail Lane Brandywine, Maryland 20613 Prince George's/27	Appointment Electrician – Metro Wash. Term of 3 years from July 1, 2011
Todd M. Borz 6 W. Highfield Road Baltimore, Maryland 21218 Baltimore City/43	Appointment Electrician – City Term of 3 years from July 1, 2009
<b>ELEVATOR SAFETY REVIEW BOARD</b>	
Hon. Cristian Mendoza Munoz	Appointment

4929 56th Place Bladensburg, Maryland 20710 Prince George's/47	Municipal Remainder of a term of 3 years from October 1, 2010
Richard J. Lowman 2445 Lyttonsville Road Silver Spring, MD 20910 Montgomery/20	Appointment Building Owner/Manager Term of 3 years from October 1, 2010
EMERGENCY NUMBER SYSTEMS BOARD	
Kevin M. Green 19168 Roman Way Montgomery Village, Maryland 20866 Montgomery/39	Reappointment Telephone Utility Term of 4 years from July 1, 2011
Richard D. Berg 8288 Elvaton Road Millersville, Maryland 21108 Anne Arundel/32	Reappointment MIEMSS Term of 4 years from July 1, 2011
Peter A. Lazich 12020 Ernstville Road Big Pool, Maryland 21711 Washington/01	Appointment Police Services Remainder of a term of 4 years from July 1, 2010
Teresa A. Owens 3811 Algonquin Trail Snow Hill, Maryland 21863 Worcester/38	Appointment EM Services Remainder of a term of 4 years from July 1, 2010
James S. Whitney 401 Fairleigh Court Tracy's Landing, Maryland 20779 Anne Arundel/33	Appointment Public Term of 4 years from July 1, 2011
ENGINEERS, STATE BOARD OF STATIONARY	
Brian M. Wodka 808 Walker Station Court Parkton, Maryland 21120 Baltimore County/05	Appointment Stationary Engineer Remainder of a term of 3 years from July 1, 2009
ENVIRONMENTAL SANITARIAN REGISTRATION, STATE BOARD OF	
Bertram F. Nixon 2125 Misty Meadow Road Finksburg, Maryland 21048 Carroll/05	Appointment Sanitarian – Local Health Department Term of 5 years from July 1, 2011
Mary Veal 3502 Cokesbury Court Pasadena, Maryland 21122	Appointment Consumer Term of 5 years from July 1, 2011

Anne Arundel/31	
Yvonne S. DeLoatch 200 Presstman Street Baltimore, Maryland 21217 Baltimore City/44	Appointment Sanitarian – Local Government Remainder of a term of 5 years from July 1, 2007
ENVIRONMENTAL SERVICE, MARYLAND	
Edward C. Adams, Jr. 1419 B Sharon Acres Road Forest Hill, Maryland 21050 Harford/35	Reappointment Public Sector Term of 4 years from July 1, 2011
Joseph F. Snee, Jr., Esq. 1322 Grafton Shop Road Bel Air, Maryland 21014 Harford/35	Reappointment Private Sector Term of 4 years from July 1, 2011
ENVIRONMENT, SECRETARY OF THE	
Robert M. Summers, Ph.D. 7315 Yorktowne Drive Baltimore, Maryland 21204 Baltimore County/42	Appointment Secretary Serves at the pleasure of the Governor
FIRE-RESCUE EDUCATION AND TRAINING COMMISSION	
Lynn D. Gilroy 1008 Martin Drive La Plata, Maryland 20646 Charles/28	Reappointment Volunteer Term of 4 years from July 1, 2010
Robert P. Cumberland, Jr. 222 Shipley Avenue Westminster, Maryland 21157 Carroll/05	Reappointment Volunteer Term of 4 years from July 1, 2011
John Jerome 929 Gahle Road Westminster, Maryland 21157 Carroll/05	Appointment Career Term of 4 years from July 1, 2011
Kathleen M. Hartley 11845 Peyton Court Bishopville, Maryland 21813 Worcester/38	Appointment Career Term of 4 years from July 1, 2011
John W. Kisser 2814 Tennessee Avenue Halethorpe, Maryland 21227 Baltimore County/12	Appointment Career Term of 4 years from July 1, 2009
HANDGUN PERMIT REVIEW BOARD	

Charles Louis Washington 10711 Mattaponi Road Upper Marlboro, Maryland 20772 Prince George's/27	Reappointment Member Term of 3 years from March 27, 2011
Rolinda S. Collinson 9905 Lucky Lure Lane P.O. Box 53 Owings, Maryland 20758 Calvert/27	Reappointment Member Term of 3 years from March 27, 2011
W. Roland Knapp 8504 Woodfall Road Nottingham, Maryland 21236 Baltimore County/08	Appointment Member Term of 3 years from March 27, 2011
<b>HAZARDOUS SUBSTANCE ADVISORY COUNCIL, CONTROLLED</b>	
Jessica Day Lackey Medicus 1815 Edmondson Avenue Catonsville, Maryland 21228 Baltimore County/12	Appointment Public Remainder of a term to expire June 30, 2011 and a term of 10 years from July 1, 2011
<b>HEALTH AND MENTAL HYGIENE, BOARD OF REVIEW OF THE DEPARTMENT OF</b>	
Kimberly M. Thomas, Esq. 9504 Painted Tree Drive Randallstown, Maryland 21133 Baltimore County/10	Appointment General Public Remainder of a term of 3 years from July 1, 2008 and a term of 3 years from July 1, 2011
Yolanda Maria Welch 10370 Pot Spring Road Lutherville, Maryland 21093 Baltimore County/42	Reappointment Knowledge/Experience Term of 3 years from July 1, 2009
<b>HEALTH BENEFIT EXCHANGE BOARD, MARYLAND</b>	
Enrique E. Martinez-Vidal 18640 Queen Elizabeth Drive Brookeville, Maryland 20833 Montgomery/14	Appointment Expertise Term to expire May 31, 2014
Darrell J. Gaskin, Ph.D. 303 Shoreline Drive Laurel, Maryland 20724 Anne Arundel/21	Appointment Expertise Term to expire May 31, 2015
Thomas S. Saquella 15 Greenwood Shoals Grasonville, Maryland 21638	Appointment Expertise Term to expire May 31, 2013

Queen Anne's/36	
Jennifer A. Goldberg, Esq. 7526 Summer Leave Lane Columbia, Maryland 21046 Howard/13	Appointment Expertise Term to expire May 31, 2014
Georges C. Benjamin, M.D. 108 Pembroke View Lane Gaithersburg, Maryland 20877 Montgomery/17	Appointment Expertise Term to expire May 31, 2015
Kenneth S. Apfel 304 Clopston Hill Sherwood Forest, Maryland 21405 Anne Arundel/33	Appointment Expertise Term to expire May 31, 2013
<b>HEALTH CARE COMMISSION, MARYLAND</b>	
Glenn E. Schneider 12106 Blue Flag Way Columbia, Maryland 21044 Howard/12	Appointment No Industry Connection Term of 4 years from October 1, 2011
Kathryn L. Montgomery, Ph.D. 3915 Bayside Drive Edgewater, Maryland 21037 Anne Arundel/30	Appointment Health Care Provider Term of 4 years from October 1, 2011
Craig P. Tanio, M.D. 15610 Chilcoat Lane Sparks, Maryland 21152 Baltimore County/05	Appointment No Industry Connection Remainder of a term of 4 years from October 1, 2008
Rev. Robert L. Conway 4001 Starlight Court Huntingtown, Maryland 20639 Calvert/27	Reappointment No Industry Connection Term of 4 years from October 1, 2009
Randall P. Worthington, Sr. 217 Prescott Court Havre de Grace, Maryland 21078 Harford/34	Reappointment No Industry Connection Term of 4 years from October 1, 2011
Garret A. Falcone 612 Sherry Drive Eldersburg, Maryland 21784 Carroll/09	Reappointment Nursing Home Administrator Term of 4 years from October 1, 2010
Helene Grady 108 Wyndhurst Avenue Baltimore, Maryland 21210 Baltimore City/41	Appointment No Industry Connection Term of 4 years from October 1, 2009

HERITAGE AREAS AUTHORITY, MARYLAND	
Hon. Emmett V. Jordan P.O. Box 471 Greenbelt, Maryland 20678 Prince George's/22	Appointment MML Elected Official Remainder of a term of 4 years from October 1, 2008
Burton K. Kummerow 1503 Maywood Avenue Baltimore, Maryland 21204 Baltimore County/42	Appointment President's Nominee Remainder of a term of 4 years from October 1, 2010
Amy M. Owsley 304 Elm Avenue Easton, Maryland 21601 Talbot/37	Appointment MD Greenways Comm. Remainder of a term of 4 years from October 1, 2008
HIGHER EDUCATION COMMISSION, MARYLAND	
Anwer Hasan 6548 Ballymore Lane Clarksville, Maryland 21029 Howard/13	Reappointment Chair Term of 5 years from July 1, 2010
Gregory A. Schuckman 118 Crystal Spring Drive Ashton, Maryland 20861 Montgomery/14	Appointment Member Remainder of a term of 5 years from July 1, 2010
Rizwan A. Siddiqi 5410 Josie Court Ellicott City, Maryland 21043 Howard/09	Appointment Member Remainder of a term of 5 years from July 1, 2008
Stephan A. Jordan 5331 Ivywood Drive Frederick, Maryland 21703 Frederick/03	Appointment Student Term of 1 year from July 1, 2011
HIGHER EDUCATION LABOR RELATIONS BOARD, STATE	
Karl K. Pence 42539 Henry Court Hollywood, Maryland 20636 St. Mary's/29	Appointment Higher Education/Labor Term of 6 years from July 1, 2011
HUMAN RESOURCES, SECRETARY OF	
Ted Dallas 1901 McGuckian Street Unit 329 Annapolis, Maryland 21401 Anne Arundel/30	Appointment Secretary Serves at the pleasure of the Governor

INDIAN AFFAIRS, COMMISSION ON	
Robert F. Killen 10709 Graeloch Road Laurel, Maryland 20723 Howard/13	Appointment Member Term of 3 years from July 1, 2011
INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY, MARYLAND	
Louna S. Primm 59 Rockland Road Westminster, Maryland 21158 Carroll/05	Reappointment Member Term of 5 years from July 1, 2010
Gregory A. Davis 916 G Street NW, #601 Washington, DC 20001 Nonresident	Reappointment Member Term of 5 years from July 1, 2009
W. Scott Harris 15037 Scottswood Court Woodbine, Maryland 21797 Howard/09	Appointment Member Term of 5 years from July 1, 2009
INJURED WORKERS' INSURANCE FUND, BOARD FOR THE	
Wayne R. Gioioso, Sr. 11103 Old Carriage Road Glen Arm, Maryland 21057 Baltimore County/07	Appointment Member Term of 5 years from June 1, 2011
Ivory Tucker 566 Laurel Road Riva, Maryland 21140 Anne Arundel/33	Appointment Member Remainder of a term of 5 years from June 1, 2010
INSURANCE COMMISSIONER, MARYLAND	
Therese H. Goldsmith 203 Hilton Avenue Catonsville, Maryland 21228 Baltimore County/12	Appointment Insurance Commissioner Term of 4 years from June 1, 2011
INTERIOR DESIGNERS, STATE BOARD OF CERTIFIED	
Barbara Portnoy Levine 1805 By Woods Lane Stevenson, Maryland 21153 Baltimore County/10	Reappointment Interior Designer Term of 3 years from July 1, 2011
H. Christine Pirrung 12 Romar Drive Annapolis, Maryland 21403 Anne Arundel/30	Reappointment Consumer Term of 3 years from July 1, 2011

JUDICIAL DISABILITIES, COMMISSION ON	
Hon. Susan H. Hazlett 2 South Bond Street Bel Air, Maryland 21014 Harford/35	Appointment Judge Remainder of a term of 4 years from January 1, 2008 and a term of 4 years from January 1, 2012
Susan R. Hoffmann 133 Monument Street Rockville, Maryland 20850 Montgomery/17	Appointment Public Term of 4 years from January 1, 2009
Mayda Colon Tsaknis 4302 Bill Moxley Road Mt. Airy, Maryland 21771 Frederick/03	Appointment Attorney Term of 4 years from January 1, 2011
LABOR RELATIONS BOARD, STATE	
June Marie Marshall, Esq. 336 Legato Terrace Silver Spring, Maryland 20901 Montgomery/20	Reappointment Public Term of 6 years from July 1, 2010
LeRoy A. Wilkison 25896 Miles Haven Road P.O. Box 68 Newcomb, Maryland 21653 Talbot/37	Appointment Nominee of Exclusive Representative Remainder of a term of 6 years from July 1, 2007
LAND RECLAMATION COMMITTEE	
Timothy B. Schwinabart 664 Pine Tree Point Road Swanton, Maryland 21651 Garrett/01	Reappointment Mining Industry Term of 3 years from July 1, 2011
James C. Ashby 1236 E. State Street Oakland, Maryland 21550 Garrett/01	Reappointment Mining Industry Term of 3 years from July 1, 2011
LEGAL SERVICES CORPORATION BOARD OF DIRECTORS, MARYLAND	
Franklin D. Chambers, Jr., Ph.D. 12627 Quaking Branch Court Bowie, Maryland 20720 Prince George's/23	Appointment Nonlawyer Remainder of a term of 3 years from July 1, 2010
Hon. Pamela J. White 111 North Calvert Street Baltimore, Maryland 21202	Reappointment Attorney Term of 3 years from July 1, 2011

Baltimore City/46	
Bernard L. Jennings 5126 Northern Fences Lane Columbia, Maryland 21044 Howard/12	Reappointment Nonlawyer Term of 3 years from July 1, 2011
LOTTERY COMMISSION, STATE	
E. Randolph Marriner 4401 Jennings Chapel Road Brookeville, Maryland 20833 Howard/09	Appointment Member – Republican Remainder of a term of 4 years from January 9, 2009
MARINE CONTRACTORS LICENSING BOARD	
Richard J. Ayella 9879 Fox Hill Court Ellicott City, Maryland 21042 Howard/09	Appointment MDE Term of 3 years from October 1, 2010
Robert P. Gaudette 105 Gloucester Road Queenstown, Maryland 21658 Queen Anne's/36	Appointment DNR Term of 3 years from October 1, 2010
Milton A. Rehbein, III 1426 Burke Road Middle River, Maryland 21220 Baltimore County/07	Appointment Marine Contractor – City, Blco, Cecl, Hrfd, Kent or Qann Term of 3 years from October 1, 2010
Joshua W. Schlepner 24620 Porter Mill Road Hebron, Maryland 21830 Wicomico/37	Appointment Marine Contractor – Crln, Dorc, Smst, Tlbt, Wico or Worc Term of 3 years from October 1, 2010
Douglas F. Suess 18 Overshot Court Jacksonville, Maryland 21131 Baltimore County/07	Appointment Private Citizen – City, Anar, Blco, Clvt, Chas, Hrfd, Pgeo or Stma Term of 3 years from October 1, 2010
Christopher McCabe 29035 Tanager Way Eden, Maryland 21822 Wicomico/38	Appointment Private Citizen – Crln, Cecl, Dorc, Kent, Qann, Smst, Tlbt, Wico or Worc Term of 3 years from October 1, 2010
Jack R. Beckwith 28799 Three Notch Road Mechanicsville, Maryland 20659 St. Mary's/29	Appointment Marine Contractor – Anar, Clvt, Chas, Pgeo or Stma Remainder of a term of 3 years from October 1, 2010
MORGAN STATE UNIVERSITY BOARD OF REGENTS	

Hon. Elijah E. Cummings 2235 Rayburn House Office Building Washington, DC 20515 Baltimore City/44	Reappointment Member Term of 6 years from July 1, 2011
Charles W. Griffin, Ed.D. 4314 Elderon Avenue Baltimore, Maryland 21215 Baltimore City/41	Reappointment Member Term of 6 years from July 1, 2011
Penelope J. Taylor 2506 Creekstone Court Baltimore, Maryland 21209 Baltimore County/11	Appointment Member Term of 6 years from July 1, 2011
Andrea E. Carrington 1530 Pentridge Road, Apt. 406D Baltimore, Maryland 21239 Baltimore City/43	Appointment Student Term of 1 year from July 1, 2011
<b>MORTICIANS AND FUNERAL DIRECTORS, STATE BOARD OF</b>	
Vernon L. Strayhorn, Sr. 110 Bunker Hill Lane Odenton, Maryland 21113 Anne Arundel/32	Appointment Consumer Remainder of a term of 4 years from July 1, 2010
Victor C. March, Sr. 708 Milldam Road Towson, Maryland 21286 Baltimore County/42	Appointment Mortician Term of 4 years from July 1, 2011
<b>PHYSICIANS, STATE BOARD OF</b>	
Frederick W. Walker, M.D. 1924 Laurel Oak Drive Bel Air, Maryland 21015 Harford/35	Appointment Physician Term of 4 years from July 1, 2011
Beryl J. Rosenstein, M.D. 3316 Woodvalley Drive Baltimore, Maryland 21208 Baltimore County/11	Appointment Physician Term of 4 years from July 1, 2011
Laura E. Henderson, M.D. 1303 Lindsay Lane Hagerstown, Maryland 21742 Washington/02	Reappointment Physician Term of 4 years from July 1, 2011
Devinder Singh, M.D. 717 S. President Street, #505 Baltimore, Maryland 21202 Baltimore City/46	Appointment Medical School Term of 4 years from July 1, 2011

Deborah R. Harrison 9612 Teakwood Drive Largo, Maryland 20774 Prince George's/25	Appointment Consumer Term of 4 years from July 1, 2011
POTOMAC RIVER FISHERIES COMMISSION	
Dennis C. Fleming 40344 Morgan Brothers Road Mechanicsville, Maryland 20659 St. Mary's/29	Reappointment Maryland Representative Term of 4 years from January 1, 2011
PROFESSIONAL ENGINEERS, STATE BOARD FOR	
Steven A. Arndt 24418 Galeano Way Damascus, Maryland 20872 Montgomery/14	Reappointment Mechanical Engineer Term of 5 years from July 1, 2011
PUBLIC DEFENDER, BOARD OF TRUSTEES OF THE OFFICE OF THE	
Erek L. Barron, Esq. 1949 Beecham Court Mitchellville, Maryland 20721 Prince George's/25	Appointment 7th Circuit Term to expire May 31, 2013
PUBLIC SERVICE COMMISSION	
Kevin Hughes 14604 Pebble Hill Lane North Potomac, Maryland 20878 Montgomery/39	Appointment Member Term of 5 years from July 1, 2011
Kelly Speakes–Backman 2004 Chesapeake Road Annapolis, Maryland 21409 Anne Arundel/30	Appointment Member Remainder of a term of 5 years from July 1, 2009
RACING COMMISSION, STATE	
Bruce F. Quade 1445 Ocean Parkway Ocean Pines, Maryland 21811 Worcester/38	Appointment Harness Racing Experience Remainder of a term of 4 years from July 1, 2007 and a term of 4 years from July 1, 2011
Louis Jay Ulman, Esq. 4240 Blue Barrow Ride Ellicott City, Maryland 21042 Howard/09	Reappointment Thoroughbred Experience/Chair Term of 4 years from July 1, 2011
REAL ESTATE APPRAISERS AND HOME INSPECTORS, STATE COMMISSION OF	

Denise M. Herndon 3816 Pine Drive Edgewater, Maryland 21037 Anne Arundel/30	Appointment Appraisal Management Company Term of 3 years from January 1, 2011
RETIREMENT AND PENSION SYSTEMS, BOARD OF TRUSTEES FOR THE MARYLAND STATE	
Harold Zirkin 6419 Shadow Road Chevy Chase, Maryland 20815 Montgomery/16	Reappointment Member Term of 4 years from July 1, 2011
Thurman W. Zollicoffer, Jr., Esq. 407 Croydon Road Baltimore, Maryland 21212 Baltimore City/43	Reappointment Member Term of 4 years from August 1, 2011
Robert R. Hagans, Jr. 2003 Shadowrock Lane Mitchellville, Maryland 20721 Prince George's/23	Appointment Member Term of 4 years from August 1, 2011
RURAL LEGACY BOARD, ADVISORY COMMITTEE TO THE	
Ann Holmes Jones 2921 Greenway Drive Ellicott City, Maryland 21042 Howard/09	Appointment Maryland Environmental Trust Term of 3 years from July 1, 2011
Frederick L. Tutman 18600 Queen Anne Road Upper Marlboro, Maryland 20774 Prince George's/23	Reappointment Agriculture Term of 3 years from July 1, 2010
John P. Jastrzembski 780 Bishop Walsh Road Cumberland, Maryland 21502 Allegany/01	Appointment Forest Industry Term of 3 years from July 1, 2010
Gary W. Mackes 6444 Freedom Way Salisbury, Maryland 21801 Wicomico/37	Reappointment County Recreation and Parks Term of 3 years from July 1, 2010
Randall P. Worthington, Sr. 217 Prescott Court Havre de Grace, Maryland 21078 Harford/34	Reappointment Business Term of 3 years from July 1, 2010
Edward A. Halle, Jr., Esq. 4081 Mt. Zion Road Upperco, Maryland 21155	Appointment Private Land Owner Term of 3 years from July 1, 2011

Baltimore County/05	
James C. Ashby 1236 E. State Street Oakland, Maryland 21550 Garrett/01	Reappointment Mineral Resources Industry Term of 3 years from July 1, 2011
ST. MARY'S COLLEGE OF MARYLAND, BOARD OF TRUSTEES OF	
Glen Richard Ives 23785 Kingston Creek Road California, Maryland 20619 St. Mary's/29	Appointment Member Term of 6 years from June 1, 2011
Donald R. Bryan 6412 Enchanted Solitude Place Columbia, Maryland 21044 Howard/13	Appointment Member Remainder of a term of 6 years from June 1, 2009
Timothy M. Broas, Esq. 28 Grafton Street Chevy Chase, Maryland 20815 Montgomery/18	Appointment Member Remainder of a term of 6 years from June 1, 2009
Elizabeth Braden Graves 666 Greenwich Street, #806 New York, New York 10014 Nonresident	Appointment Member Remainder of a term of 6 years from June 1, 2009
Timothy L. Heely 21652 Joe Hazel Road Leonardtwn, Maryland 20650 St. Mary's/29	Appointment Member Remainder of a term of 6 years from June 1, 2007
Sven Erik Holmes 2429 Kalorama Road, NW Washington, DC 20008 Nonresident	Appointment Member Remainder of a term of 6 years from June 1, 2007
SOCIAL WORK EXAMINERS, STATE BOARD OF	
Peggy A. Barnes 6614 Deancroft Road Pikesville, Maryland 21209 Baltimore County/11	Appointment Licensed Social Worker – DHR Remainder of a term of 4 years from July 1, 2009
Judith M. Levy 6939 Copperbend Lane Baltimore, Maryland 21209 Baltimore County/42	Reappointment Licensed Clinical Social Worker – Clinical Term of 4 years from July 1, 2011
Loretta Y. Wall 11073 Swansfield Road	Reappointment Licensed Clinical Social Worker

Columbia, Maryland 21044 Howard/12	Term of 4 years from July 1, 2011
STADIUM AUTHORITY, MARYLAND	
Joseph C. Bryce, Esq. 802 Vacation Drive Odenton, Maryland 21113 Anne Arundel/33	Appointment Member Term of 4 years from July 1, 2011
STATE POLICE, SECRETARY OF	
Marcus L. Brown 147 South Linwood Avenue Baltimore, MD 21224 Baltimore City/46	Appointment Secretary Serves at the pleasure of the Governor
TEACHER EDUCATION BOARD, PROFESSIONAL STANDARDS AND	
Barbara Martin Palmer, Ph.D. 2823 Wildwood Court Walkersville, Maryland 21793 Frederick/04	Appointment MD Teacher Ed. and College of Teacher Ed. Associations Term of 3 years from July 1, 2011
Alyssia J. James, Ed.D. 9105 Wellington Place Lanham, Maryland 20706 Prince George's/22	Appointment MD Teacher Ed. and College of Teacher Ed. Associations Remainder of a term of 3 years from July 1, 2009
TECHNOLOGY DEVELOPMENT CORPORATION (TEDCO) BOARD OF DIRECTORS, MARYLAND	
C. Warren Mullins 205 Bodington Court Bel Air, Maryland 21001 Harford/35	Reappointment Nonprofit Research Term of 4 years from July 1, 2010
Konstantina M. Katcheves, Esq. 2521 Brian Court Ellicott City, Maryland 21043 Howard/09	Appointment Tech-based Business Remainder of a term of 4 years from July, 2009
Eric G. Orlinsky, Esq. 4415 Greenway Baltimore, Maryland 21218 Baltimore City/43	Reappointment General Public Term of 4 years from July 1, 2011
Carlos M. Montague 7570 Shirley Boulevard Port Tobacco, Maryland 20677 Charles/28	Appointment Tech-based Business Term of 4 years from July 1, 2011
Newton B. Fowler, III	Appointment

329 Tunbridge Road Baltimore, Maryland 21212 Baltimore City/43	Venture Capital Financing Expertise Remainder of a term of 4 years from July 1, 2010
TRANSPORTATION AUTHORITY, MARYLAND	
A. Bradley Mims 10007 Welshire Drive Upper Marlboro, Maryland 20772 Prince George's/27	Appointment Member Remainder of a term of 4 years from July 1, 2008
Arthur S. Hock 204 N. Queen Street Chestertown, Maryland 21620 Kent/36	Appointment Member Term of 4 years from July 1, 2011
VENTURE FUND AUTHORITY, MARYLAND	
Gina Dubbe 14318 Roxbury Lake Drive Glenelg, Maryland 21737 Howard/09	Appointment Investment Capital Experience Term to expire June 30, 2015
Stephen Tien Wong 146 Grafton Street Chevy Chase, Maryland 20815 Montgomery/18	Appointment Investment Capital Experience Term to expire June 30, 2015
Andrew E. Jones 8 Hunt Club Court Baltimore, Maryland 21131 Baltimore County/05	Appointment Investment Capital Experience Term to expire June 30, 2014
Elizabeth Good Mazhari 551 Allegheny Avenue Towson, Maryland 21204 Baltimore County/42	Appointment Investment Capital Experience Term to expire June 30, 2015
Michael J. Howard 5907 Mackson Drive Temple Hills, Maryland 20748 Prince George's/26	Appointment Small Business Owner Term to expire June 30, 2014
Peter S. Greenleaf 5606 Parkston Road Bethesda, Maryland 20816 Montgomery/16	Appointment Business Executive – Chair Term to expire June 30, 2014
Goodloe E. Byron, Jr. 8926 Mt. Tabor Road Middletown, Maryland 21769 Frederick/04	Appointment Rural County Resident Term to expire June 30, 2015

VETERANS HOME COMMISSION, MARYLAND	
Terry T. Shima 415 Russell Avenue, #1005 Gaithersburg, Maryland 20877 Montgomery/14	Appointment Member Remainder of a term of 5 years from July 1, 2007
VETERINARY MEDICAL EXAMINERS, STATE BOARD OF	
Bernadette Morrissey Wood 5055 Plantation Road Cambridge, Maryland 21613 Dorchester/37	Reappointment Public Term of 5 years from June 1, 2011
WATERWORKS AND WASTE SYSTEMS OPERATORS, STATE BOARD OF	
Joseph L. Haxton 32031 Tuckahoe Avenue Cordova, Maryland 21625 Talbot/37	Reappointment Sanitary/Metro Commission Term of 4 years from July 1, 2011
WELL DRILLERS, STATE BOARD OF	
Travis E. Sterner 8726 Reynolds Mill Road Seven Valleys, Pennsylvania 17360 Nonresident	Reappointment MDE Term of 2 years from July 1, 2010
Darlene Vivian Wells 17433 Wesley Chapel Road Monkton, Maryland 21111 Baltimore County/05	Reappointment DNR Term of 2 years from July 1, 2010
Hahns S. Hairston 5943 Charles Street Baltimore, Maryland 21207 Baltimore County/10	Reappointment Public Term of 2 years from July 1, 2010
John T. Shannahan, Sr. 25145 Saint Michaels Road P.O. Box 730 St. Michael's, Maryland 21663 Talbot/37	Reappointment Well Driller – Eastern Maryland Term of 2 years from July 1, 2010
C. Wayne Caswell 3515 North Furnace Road Jarrettsville, Maryland 21084 Harford/35	Reappointment Well Driller – Central Maryland Term of 2 years from July 1, 2010
David B. Hartman 307 Wood Shadows Court Millersville, Maryland 21108 Anne Arundel/33	Reappointment Well Driller – Southern Maryland Term of 2 years from July 1, 2010

Larry Dale Brenneman 312 Main Street Extended Accident, Maryland 21520 Garrett/01	Reappointment Well Driller – Western Maryland Term of 2 years from July 1, 2010
<b>WELLMOBILE PROGRAM ADVISORY BOARD, GOVERNOR'S</b>	
Gerard M. Walsh 30 Bellevue Avenue Cambridge, Maryland 21613 Dorchester/37	Reappointment Business Term of 3 years from October 1, 2010
Sarah Callanan 1605 Calvert Road Chester, Maryland 21619 Queen Anne's/36	Reappointment Health Term of 3 years from October 1, 2010
Richard D. Gelfman, Esq. 11309 Willow Bottom Drive Columbia, Maryland 21044 Howard/12	Reappointment Media/Marketing Term of 3 years from October 1, 2008 and a term of 3 years from October 1, 2011
<b>WOMEN, MARYLAND COMMISSION FOR</b>	
Susan Carol Elgin 204 Churchwardens Road Baltimore, Maryland 21212 Baltimore City/43	Reappointment Member Term of 4 years from July 1, 2010
Hon. Helen L. Holton 100 N. Holliday Street, Room 518 Baltimore, Maryland 21202 Baltimore City/41	Reappointment Member Term of 4 years from July 1, 2010
Roseanna Vogt 8400 G Street Chesapeake Beach, Maryland 20732 Calvert/27	Reappointment Member Term of 4 years from July 1, 2010
Lynn R. Fitrell 25723 Vista Road Hollywood, Maryland 20636 St. Mary's/29	Reappointment Member Term of 4 years from July 1, 2010
Deborah A. Risper 8405 Maymeadow Court Baltimore, Maryland 21244 Baltimore County/10	Reappointment Member Term of 4 years from July 1, 2011
Kathleen White, Ed.D. 5 Fallshire Court P.O. Box 608	Reappointment Member Term of 4 years from July 1, 2011

Randallstown, Maryland 21133 Baltimore County/10	
WORKERS' COMPENSATION COMMISSION, STATE	
Delia Turano Schadt, Esq. 2 Kengate Court Baltimore, Maryland 21212 Baltimore County/42	Appointment Member Remainder of a term of 12 years from August 1, 2005
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON	
Mark L. Bates 247 Likes Road Edgewater, Maryland 21037 Anne Arundel/30	Appointment Camp Owner/Manager Term of 3 years from July 1, 2011

**GUBERNATORIAL RECESS APPOINTMENTS TO LOCAL BOARDS  
REQUIRING SENATE CONFIRMATION  
2012 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

ALLEGANY COUNTY BOARD OF ELECTIONS	
John T. Stakem 167 West Main Street Frostburg, Maryland 21532 Allegany/01	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Richard Lee DeVore, Jr. 10325 Mason Dixon View NW P.O. Box 45 Ellerslie, Maryland 21502 Allegany/01	Appointment Minority Party – Member Term of 4 years from June 6, 2011
ALLEGANY COUNTY BOARD OF LICENSE COMMISSIONERS	
Charles Ronald Miller 12712 Lewis Heights Drive, S.W. Cumberland, Maryland 21502 Allegany/01	Reappointment Republican Term to expire May 1, 2017
BALTIMORE CITY BOARD OF ELECTIONS	
Cory McCray 6908 Brook Avenue Baltimore, Maryland 21206 Baltimore City/45	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Frankie L. Powell 5123 Queensberry Avenue Baltimore, Maryland 21215	Appointment Minority Party – Member Term of 4 years from June 6, 2011

Baltimore City/41	
<b>BALTIMORE CITY COMMUNITY COLLEGE, BOARD OF TRUSTEES OF</b>	
Rosemary Gillett–Karam, Ph.D. 214 Upnor Road Baltimore, Maryland 21212 Baltimore City/43	Appointment Member Term of 6 years from July 1, 2007
Maria Harris Tildon 5616 Cross Country Boulevard Baltimore, Maryland 21209 Baltimore City/41	Appointment Member Term of 6 years from July 1, 2006
Craig A. Thompson, Esq. 2137 Grant Farm Court Marriottsville, Maryland 21104 Howard/09	Appointment Member Term of 6 years from July 1, 2008
Jay Hutchins 10401 Edgewood Avenue Silver Spring, Maryland 20901 Montgomery/19	Appointment Member Term of 6 years from July 1, 2010
Pamela Paulk 2901 Boston Street, #502 Baltimore, Maryland 21224 Baltimore City/46	Appointment Member Term of 6 years from July 1, 2011
Shalini Malaki 1806 Rambling Ridge Lane, #202 Baltimore, Maryland 21209 Baltimore County/42	Appointment Student Term of 1 year from July 1, 2011
<b>BALTIMORE CITY ORPHANS' COURT</b>	
Michele E. Loewenthal, Esq. 6205 Green Meadow Way Baltimore, Maryland 21209 Baltimore City/41	Appointment Orphans' Court Judge Remainder of a term of 4 years from the General Election of November, 2010
<b>CALVERT COUNTY BOARD OF LICENSE COMMISSIONERS</b>	
Beth Swoap 2118 Loblolly Lane St. Leonard, Maryland 20685 Calvert/29	Appointment Democrat Term to expire June 3, 2013
Ruth Reid 3010 Ponds Wood Road Huntingtown, Maryland 20639 Calvert/27	Appointment Republican Term to expire June 3, 2013

John H. Smack 2641 Plum Point Road Huntingtown, Maryland 20639 Calvert/27	Appointment Alternate – Democrat Term to expire June 3, 2013
<b>CAROLINE COUNTY BOARD OF ELECTIONS</b>	
Warner G. Johnson 27320 Chipman Lane Federalsburg, Maryland 21632 Caroline/37	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Greta H. Scanlan 24561 Mill Creek Lane Denton, Maryland 21629 Caroline/36	Appointment Minority Party – Member Term of 4 years from June 6, 2011
<b>CARROLL COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
Donald E. Lippy 421 Lees Mill Road Hampstead, Maryland 21074 Carroll/05	Reappointment Member Term of 6 years from July 1, 2011
Barbara Charnock 5866 Mineral Hill Road Sykesville, Maryland 21784 Carroll/09	Reappointment Member Term of 6 years from July 1, 2011
<b>CHARLES COUNTY BOARD OF ELECTIONS</b>	
Norman J. Saunders, Sr. 11955 Woodbury Road Nanjemoy, Maryland 20662 Charles/28	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Katherine M. O'Malley–Simpson 8305 Clamber Hill Place P.O. Box 163 Port Tobacco, Maryland 20677 Charles/28	Appointment Minority Party – Member Term of 4 years from June 6, 2011
<b>FREDERICK COUNTY BOARD OF ELECTIONS</b>	
Earlene H. Thornton, Ed.D. 5303 Hines Road Frederick, Maryland 21704 Frederick/03	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Raymond E. Bentz 125 Cody Drive, #33 Thurmont, Maryland 21788 Frederick/04	Appointment Minority Party – Member Term of 4 years from June 6, 2011

FREDERICK COUNTY BOARD OF LICENSE COMMISSIONERS	
Richard E. Zimmerman, Esq. 700 Rosemont Avenue Frederick, Maryland 21701 Frederick/03	Appointment Member Term of 5 years from July 1, 2011
HARFORD COUNTY BOARD OF ELECTIONS	
Maria A. Terry 333 Oak Street Aberdeen, Maryland 21001 Harford/34	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Kevin E. Keene 1111 Glastonbury Way Bel Air, Maryland 21014 Harford/35	Appointment Minority Party – Member Term of 4 years from June 6, 2011
Benjamin Daniel Riley 2120 Old Edgewood Road Edgewood, Maryland 21040 Harford/34	Appointment Majority Party – Member Term of 4 years from June 6, 2011
HOWARD COMMUNITY COLLEGE BOARD OF TRUSTEES	
Dennis R. Schrader 9433 Sunfall Court Columbia, Maryland 21046 Howard/13	Appointment Member Term of 6 years from July 1, 2011
MONTGOMERY COUNTY BOARD OF ELECTIONS	
David A. Naimon 7017 Wolfree Lane Rockville, Maryland 20852 Montgomery/16	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Jacqueline L. Phillips 7900 Glendale Road Chevy Chase, Maryland 20815 Montgomery/18	Appointment Minority Party – Substitute Term of 4 years from June 6, 2011
PRINCE GEORGE'S COMMUNITY COLLEGE BOARD OF TRUSTEES	
Elizabeth G. Proctor 14202 Cold Harbour Drive Accokeek, Maryland 20607 Prince George's/27	Reappointment Member Term of 5 years from July 1, 2011
PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS	
Dennis C. Smith 8621 Johnson Avenue	Appointment Majority Party – Substitute

Glenarden, Maryland 20706 Prince George's/24	Term of 4 years from June 6, 2011
<b>PRINCE GEORGE'S COUNTY BOARD OF LICENSE COMMISSIONERS</b>	
Franklin D. Jackson, Esq. 12610 Pleasant Prospect Mitchellville, Maryland 20721 Prince George's/23	Reappointment Democrat – Chair Term of 3 years from June 1, 2011
Charles W. Caldwell, III 16112 Parklawn Place Bowie, Maryland 20716 Prince George's/23	Appointment Republican Term of 3 years from June 1, 2011
<b>ST. MARY'S COUNTY ALCOHOL BEVERAGE BOARD</b>	
Aaron T. Mathis 20808 Rosslare Court Lexington Park, Maryland 20653 St. Mary's/29	Appointment 1st Commission District Remainder of a term of 4 years from January 1, 2008 and a term of 4 years from January 1, 2012
Moses P. Saldana, Jr. 27910 Queentree Road Mechanicsville, Maryland 20659 St. Mary's/29	Reappointment At Large – Chair Term of 4 years from January 1, 2012
<b>SOMERSET COUNTY BOARD OF ELECTIONS</b>	
Emily B. Ent 11378 Hayman Drive Princess Anne, Maryland 21853 Somerset/38	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
Jackie Lee Mills 5099 Annemessex Road Crisfield, Maryland 21817 Somerset/38	Reappointment Minority Party – Member Term of 4 years from June 6, 2011
<b>SOMERSET COUNTY BOARD OF LICENSE COMMISSIONERS</b>	
Ralph F. Lusk 26743 Rumbley Road Westover, Maryland 21871 Somerset/38	Appointment Democrat Term of 2 years from June 1, 2011
Robert W. Murphey 12010 Sherree Lane Princess Anne, Maryland 21853 Somerset/38	Reappointment Democrat Term of 2 years from June 1, 2011
<b>WASHINGTON COUNTY BOARD OF ELECTIONS</b>	

Tammy E. Downin 20103 Daniel's Circle Hagerstown, Maryland 21742 Washington/02	Appointment Majority Party – Member Term of 4 years from June 6, 2011
Carroll H. Earp 20315 Ayoub Lane Hagerstown, Maryland 21742 Washington/02	Appointment Minority Party – Member Term of 4 years from June 6, 2011
Bruce F. Field 11101 Dolores Court Hagerstown, Maryland 21742 Washington/02	Appointment Minority Party – Member Remainder of a term of 4 years from June 6, 2011
WASHINGTON COUNTY BOARD OF LICENSE COMMISSIONERS	
William F. Dunham, Jr., Esq. 1149 Beechwood Drive Hagerstown, Maryland 21742 Washington/02	Reappointment Member – Democrat Term of 6 years from June 1, 2011
WICOMICO COUNTY BOARD OF ELECTIONS	
Phillip J. Doyle 513 S. Pinehurst Avenue Salisbury, Maryland 21801 Wicomico/38	Appointment Majority Party – Member Remainder of 4 years from June 6, 2011
WICOMICO COUNTY BOARD OF LICENSE COMMISSIONERS	
Aline K. (A. Kaye) Kenney 8121 Esham Road Parsonsburg, Maryland 21849 Wicomico/38	Reappointment Member Term of 4 years from July 1, 2010
James Allen 5644 Scottish Highland Circle Salisbury, Maryland 21801 Wicomico/37	Reappointment Member Term of 4 years from July 1, 2010
Leo McNeil 7637 Central Avenue Salisbury, Maryland 21801 Wicomico/38	Reappointment Member Term of 4 years from July 1, 2011
WICOMICO COUNTY LIQUOR CONTROL BOARD	
Robert L. Gladden 530 Riverside Drive, #507 Salisbury, Maryland 21801 Wicomico/37	Appointment Member Term of 2 years from July 1, 2011
Herman Stewart Haemel	Reappointment

1702 South Kaywood Drive Salisbury, Maryland 21804 Wicomico/38	Member Term of 2 years from July 1, 2011
Donald E. Ewalt, Jr. 203 Creekside Drive Salisbury, Maryland 21804 Wicomico/38	Reappointment Member Term of 2 years from July 1, 2011
<b>WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS</b>	
R. Charles Nichols, Jr. 10527 Calvin Lane Berlin, Maryland 21811 Worcester/38	Reappointment Member Term of 4 years from July 1, 2011
<b>WORCESTER COUNTY BINGO BOARD</b>	
Douglas L. Fisher 100 East Federal Street Snow Hill, Maryland 21863 Worcester/38	Appointment Member Remainder of a term of 6 years from June 1, 2007
<b>WOR–WIC COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
Duane Gary Boggs 30521 East Rustic Drive Salisbury, Maryland 21804 Wicomico/38	Reappointment Member Term of 6 years from July 1, 2011
Martin T. Neat 1113 Riverside Drive Salisbury, Maryland 21801 Wicomico/38	Appointment Member Term of 6 years from July 1, 2010
Russell W. Blake 7 Winter Quarters Drive Pocomoke, Maryland 21851 Worcester/38	Reappointment Member Term of 6 years from July 1, 2011

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

### INTRODUCTION OF BILLS

#### **Senate Bill 1 – Senator Colburn**

AN ACT concerning

**Motor Vehicle Registration – Special Vintage Reproduction License Plate**

FOR the purpose of requiring the Motor Vehicle Administration to develop and make available a specially designed vintage reproduction license plate; prescribing who may apply for and the classes of vehicles eligible for the license plate; providing the manner in which fees will be established, collected, and distributed in connection with the license plate; requiring that the license plate be made of certain materials and resemble a certain license plate issued by the State; and generally relating to the issuance of special license plates.

BY adding to

Article – Transportation

Section 13–619.3

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 2 – Senator Astle**

AN ACT concerning

#### **Creation of a State Debt – Anne Arundel County – Sprinkler Assistance Revolving Fund**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the Annapolis Economic Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 3 – Senator Simonaire**

AN ACT concerning

#### **Maryland Toll Accountability Act**

FOR the purpose of prohibiting the Maryland Transportation Authority from fixing or revising a toll on any part of any transportation facilities project unless the General Assembly approves the toll through legislation; prohibiting the Authority, on or after a certain date, from charging and collecting a toll that exceeds the amount of the toll in effect on a certain date; and generally relating to tolls for the use of transportation facilities projects under the jurisdiction of the Maryland Transportation Authority.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–312  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 4 – Senator Ramirez**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Bladensburg Market Square II**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to extend the deadline for the Board of Directors of Prince George’s Heritage, Inc. to present evidence that a certain matching fund will be provided; requiring that the Board of Public Works expend or encumber the proceeds of a certain loan by June 1, 2016; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(BA)

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

**Senate Bill 5 – Senators Jacobs and Glassman**

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 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–314(a)(4)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 6 – Senator Reilly**

AN ACT concerning

**Property Tax – Exemption for Blind Individuals and Surviving Spouses**

FOR the purpose of increasing the amount of a certain property tax exemption for dwelling houses owned by certain blind individuals or surviving spouses of blind individuals; providing for the application of this Act; and generally relating to a certain property tax exemption for blind individuals.

BY repealing and reenacting, with amendments  
Article – Tax – Property  
Section 7–207  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 7 – Senator Klausmeier**

AN ACT concerning

**Vehicle Laws – Nonfunctioning Traffic Control Signals**

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 nonfunctioning traffic control signals.

BY adding to  
Article – Transportation  
Section 21–202(m)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation

Section 21–202(m)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 8 – Senator Astle**

AN ACT concerning

#### **Maryland Income Tax Refund – Anne Arundel County – Warrants**

FOR the purpose of authorizing certain warrant officials to certify to the Comptroller the existence of an outstanding warrant; requiring the Comptroller to withhold the Maryland income tax refunds of certain individuals with outstanding warrants under certain circumstances; providing that certain provisions of law apply only to residents of Anne Arundel County or individuals with warrants from Anne Arundel County; requiring a certain certification to contain certain information; requiring the Comptroller, under certain circumstances, to withhold an individual’s income tax refund and notify the individual of a certain certification; providing that the Comptroller may not pay a Maryland income tax refund until the warrant official notifies the Comptroller that the warrant is no longer outstanding; requiring the Comptroller to withhold and pay certain required amounts before withholding any part of certain income tax refunds; requiring the Office of the Comptroller to submit a certain report to certain committees of the General Assembly on or before a certain date; defining certain terms; providing for the termination of certain provisions of this Act; and generally relating to withholding income tax refunds for outstanding warrants.

BY adding to  
Article – Tax – General  
Section 13–935 through 13–939 to be under the new part “Part VII. Income Tax Refund Withholding – Warrants”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 9 – Senator Forehand**

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2011 – Montgomery County –  
Mental Health Association HVAC Replacement**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to allow the matching fund requirement for a certain grant to consist of real property, in kind contributions, and funds expended prior to a certain date; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2011.

BY repealing and reenacting, with amendments,  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA02(AZ) and ZA03(AR)

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

**Senate Bill 10 – Senators Colburn and Mathias**

**EMERGENCY BILL**

AN ACT concerning

**Slot Machines for Nonprofit Organizations on the Eastern Shore – Uses of  
Proceeds**

FOR the purpose of altering a provision so as to require that one-half of the net after payout proceeds from slot machines operated by certain nonprofit organizations in counties on the Eastern Shore must benefit charities; making this Act an emergency measure; and generally relating to slot machines for nonprofit organizations in certain counties.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 12–304(a)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304(c)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 11 – Senators Peters, Klausmeier, Garagiola, DeGrange,  
Rosapepe, King, Astle, Colburn, Kittleman, Stone, and Edwards**

AN ACT concerning

**State Lottery – Licenses – Veterans’ Organizations**

FOR the purpose of authorizing the Director of the State Lottery Agency to issue to certain veterans’ organizations a license for not more than a certain number of instant ticket lottery machines for the sale of certain lottery machine tickets under certain circumstances; exempting certain counties from certain provisions; requiring a veterans’ organization to locate and operate certain instant ticket lottery machines in certain places; authorizing the Director to adopt certain regulations; providing that revenues from certain lottery machine ticket sales by a veterans’ organization are to be credited to the State Lottery Fund after certain deductions are made; requiring the Comptroller to distribute a certain percentage of proceeds deposited in the State Lottery Fund from certain lottery machine ticket sales by veterans’ organizations to the Maryland Veterans Trust Fund; requiring a veterans’ organization issued a license under this Act to purchase or lease instant ticket lottery machines; prohibiting a veterans’ organization from using certain lottery receipts to pay certain costs for instant ticket lottery machines; defining a certain term; directing the State Lottery Agency to ensure that implementation of the provisions of this Act with respect to the conduct of gaming and the operation of the instant ticket lottery machines is consistent with a certain court decision; and generally relating to the State lottery and certain lottery machine ticket sales by veterans’ organizations.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–112, 9–120(b), and 9–913  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–120(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 12 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Annapolis and Anne Arundel County Conference and Visitors Bureau – Roof Replacement**

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 Annapolis and Anne Arundel County Conference and Visitors Bureau, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 13 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Talbot County – Easton Head Start 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 Shore Up!, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 14 – Senator Conway**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees**

FOR the purpose of requiring the State Board of Morticians and Funeral Directors to require certain applicants or licensees to submit to a mental or physical examination under certain circumstances; providing that certain applicants or licensees are deemed to have consented to submit to a certain examination and to have waived a certain claim of privilege under certain circumstances; providing that a certain report or testimony of a certain health care practitioner is confidential, except under certain circumstances; providing that the failure or refusal of a certain applicant or licensee to submit to a certain examination is prima facie evidence of the inability to practice mortuary science or funeral direction competently, unless the Board makes a certain finding; requiring

certain applicants or licensees to pay the reasonable cost of certain examinations; and generally relating to the authority of the State Board of Morticians and Funeral Directors to require examinations.

BY adding to

Article – Health Occupations

Section 7–208

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 15 – Senator Benson**

AN ACT concerning

#### **The Show Place Arena in Prince George’s County – Study Commission**

FOR the purpose of establishing The Show Place Arena Study Commission; specifying the membership, chair, and staffing of the Commission; requiring the Commission to perform certain duties and make certain recommendations; specifying that a member of the Commission may not receive compensation, but may receive certain reimbursement; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to The Show Place Arena Study Commission.

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

### **Senate Bill 16 – Senators Ramirez, Miller, Rosapepe, Peters, Forehand, and Montgomery**

AN ACT concerning

#### **Jury Service – Employers – Prohibited Acts**

FOR the purpose of prohibiting an employer from requiring an individual to work on a day in which an individual spends more than a certain number of hours performing jury service or acts related to jury service; prohibiting an employer from depriving an individual of employment or coercing, intimidating, or threatening to discharge an individual for exercising a certain right to refrain from work for performing jury service or acts relating to jury service; and generally relating to jury service.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 8–501  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 17 – Senator Ramirez**

AN ACT concerning

**Sales and Use Tax – Tax-Free Week – School Supplies and Personal Computers**

FOR the purpose of altering a certain sales and use tax exemption to include certain school supplies and certain personal computers, subject to certain limitations; defining certain terms; and generally relating to the designation of a certain annual sales tax-free week in the State.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–228  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 18 – Senators Peters, Astle, Klausmeier, Garagiola, DeGrange, Rosapepe, King, Ramirez, Montgomery, Kelley, Madaleno, Stone, Manno, Kittleman, Colburn, Edwards, and Brochin**

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 Judicial Proceedings.

**Senate Bill 19 – Senators Peters, Astle, Klausmeier, Garagiola, DeGrange, Rosapepe, King, Kelley, Colburn, Kittleman, Madaleno, Montgomery, Edwards, Manno, and Stone**

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–204(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 217 of the Acts of the General Assembly of 2006, as amended by  
Chapter 506 of the Acts of the General Assembly of 2009  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 218 of the Acts of the General Assembly of 2006, as amended by  
Chapter 506 of the Acts of the General Assembly of 2009  
Section 2

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

**Senate Bill 20 – Senator Astle**

AN ACT concerning

**Vehicle Laws – Special and Commemorative Registration Plates**

FOR the purpose of repealing the authority of the Motor Vehicle Administration to issue certain commemorative registration plates and making certain conforming changes; requiring rather than authorizing the Administration to issue a special Chesapeake Bay Commemorative Registration Plate; requiring the Administration to disburse certain fees to the Chesapeake Bay Trust; requiring

the Administration to consult with the Chesapeake Bay Trust on certain matters; repealing the termination provision for the special registration plate honoring State agriculture; making certain stylistic and technical changes; and generally relating to special and commemorative registration plates for motor vehicles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–618  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–619.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 251 of the Acts of the General Assembly of 2000, as amended by  
Chapter 398 of the Acts of the General Assembly of 2003 and  
Chapters 135 and 136 of the Acts of the General Assembly of 2007  
Section 3

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

### **Senate Bill 21 – Senator Simonaire**

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 under 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 2011 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 2011 Supplement)

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

### **Senate Bill 22 – Senator Simonaire**

AN ACT concerning

#### **Anne Arundel County – School Board – Membership**

FOR the purpose of requiring that certain members of the Anne Arundel County Board of Education be elected; requiring that certain members of the county board be appointed; repealing certain provisions relating to a retention election for certain appointed members of the county board; establishing procedures for the election and appointment of certain members of the county board; providing for a nonpartisan election for certain members of the county board under certain circumstances; providing that a certain member elected to the county board from a certain geographic area but whose district boundaries subsequently are altered may remain as a member of the county board for a certain period; providing for the termination of the terms of certain members of the county board; 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 2011 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 2011 Supplement)

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

**Senate Bill 23 – Senator Reilly**

AN ACT concerning

**Public Safety – Elevator Safety Review Board – Membership**

FOR the purpose of altering the membership of the Elevator Safety Review Board to add a member representing the elevator interior renovation industry and a member who is an accessibility contractor; and generally relating to the membership of the Elevator Safety Review Board.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–820(a)  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

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

**Senate Bill 24 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Shiplap House**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of 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 Budget and Taxation.

**Senate Bill 25 – Senator Jacobs (By Request)**

AN ACT concerning

**Vehicle Laws – Historic Motor Vehicles – Truck Tractors**

FOR the purpose of altering the definition of “historic motor vehicle” to include a truck tractor that meets certain requirements; and generally relating to the registration of historic motor vehicles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11–172  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–936(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 26 – Senators Klausmeier, Stone, Kittleman, and Colburn**

AN ACT concerning

**Gaming – Table Games – Video Lottery Facilities**

FOR the purpose of authorizing the holder of a video lottery operation license to offer table games in the State; specifying the type of table games that may be authorized in the State; authorizing the State Lottery Commission to determine the suitability of certain table games under certain circumstances; requiring certain video lottery facilities to comply with applicable planning and zoning laws of the local jurisdiction; requiring certain legislation under certain circumstances; and submitting this Act to a referendum of the qualified voters of Maryland for their adoption or rejection.

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

**Senate Bill 27 – Senator Simonaire**

AN ACT concerning

**Health Care Facilities – Notification of Death of Resident Under Guardianship**

FOR the purpose of requiring certain facilities to notify a guardian and an interested family member of the death of a resident under guardianship; defining a certain term; and generally relating to notification of the death of a resident under guardianship in a facility.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–344(a)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General  
Section 19–344(s)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 28 – Senators Peters, Astle, Klausmeier, Garagiola, DeGrange, Rosapepe, King, Ramirez, Montgomery, Colburn, Kittleman, Stone, Manno, and Edwards**

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 taxation of certain retirement income.

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–207(q)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 29 – Senator Simonaire**

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 13–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 30 – Senators Klausmeier and Kittleman**

AN ACT concerning

**Injured Workers’ Insurance Fund – Cancellation of Policies – Failure to Pay a Premium**

FOR the purpose of altering the manner in which the Injured Workers’ Insurance Fund may cancel policies when a policyholder has failed to pay a premium; repealing a requirement that the Board for the Injured Workers’ Insurance Fund refer cases for collection to the Office of the Attorney General; and generally relating to the cancellation and collection procedures of the Injured Workers’ Insurance Fund.

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 19–406  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 10–118, 10–133, and 10–135  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 31 – Senators Klausmeier, Astle, Stone, Kittleman, Garagiola, and Young**

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 32 – Senator Simonaire**

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 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 2011 Supplement)

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

**Senate Bill 33 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor  
Licenses – Clubs**

FOR the purpose of updating certain obsolete language by requiring the County Council of Dorchester County to pay a certain alcoholic beverages license fee to the mayor and city council of a city or town under certain circumstances; requiring the County Council of Dorchester County to pay a certain alcoholic beverages license fee to the Finance Department of Dorchester County under certain circumstances; and generally relating to the distribution of Class C beer, wine and liquor license fees paid by organizations in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(k)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 34 – Senator Colburn**

AN ACT concerning

**Talbot County – Zoning Regulations – Enforcement**

FOR the purpose of authorizing the legislative body of Talbot County to provide by local law for an administrative proceeding to enforce certain zoning regulations; allowing the local law to include certain authority to impose certain fines and penalties for zoning violations; and generally relating to the enforcement of zoning regulations in Talbot County.

BY adding to  
Article – Land Use  
Section 9–1801 and 9–1802 to be under the new subtitle “Subtitle 18. Talbot  
County”  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_ (S.B. \_\_\_/H.B. \_\_\_)(2l0396) of the Acts of the General  
Assembly of 2012)

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

**Senate Bill 35 – Senators Klausmeier, Jacobs, Raskin, Garagiola, Mathias, Madaleno, Peters, Rosapepe, Young, Ramirez, Dyson, Stone, Kittleman, and Reilly**

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; and generally relating to a certain income tax credit for eligible long-term care premiums.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10-718  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 36 – Senator Reilly**

AN ACT concerning

**State Government – Commemorative Month – Irish-American Heritage Month**

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

BY adding to  
Article – State Government  
Section 13-504  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 37 – Senator Colburn**

AN ACT concerning

**Dorchester County – Water and Sewer Service – Late Fees**

FOR the purpose of authorizing the sanitary district in Dorchester County to charge a certain late fee for certain unpaid usage charges related to certain water, sewerage, or solid waste projects; authorizing the sanitary commission in Dorchester County to require the payment of certain late fees before reconnecting with certain water service; providing that when a certain charge is in default it will accrue interest from a certain date and at a certain rate; and generally relating to water and sewer service charges in Dorchester County.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–601(a), (d), (j), and (k) and 9–662(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–662(n)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 38 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Caroline County – Senior Housing for the Disabled**

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 Benedictine School for Exceptional Children, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 39 – Senator Ramirez**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Elizabeth Seton High School Window Upgrades**

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 Elizabeth Seton High School for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 40 – Senator Astle**

AN ACT concerning

**Sales and Use Tax – Machinery and Equipment – Energy Star Windows and Doors**

FOR the purpose of exempting from the sales and use tax certain sales of certain machinery and equipment to be used for certain purposes and certain utilities used to operate the machinery or equipment; and generally relating to a sales and use tax exemption for certain machinery and equipment and the utilities used to operate the machinery or equipment.

BY adding to

Article – Tax – General

Section 11–210(e)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 41 – Senator Colburn**

AN ACT concerning

**Caroline County, Dorchester County, Talbot County, and Wicomico County – Prospective Employees and Volunteers – Criminal History Records Check**

FOR the purpose of authorizing a certain officer in Caroline County, Dorchester County, Talbot County, or Wicomico County to request from the Criminal Justice Information System Central Repository of the Department of Public

Safety and Correctional Services a State and national criminal history records check for a prospective county employee or volunteer; requiring that a certain officer submit certain sets of fingerprints and fees to the Central Repository as part of the application for a criminal history records check; requiring the Central Repository to forward to the prospective employee or volunteer and a certain officer the prospective employee's or volunteer's criminal history record information under certain circumstances; establishing that information obtained from the Central Repository under this Act is confidential, may not be disseminated, and may be used only for certain purposes; authorizing the subjects of a criminal history records check under this Act to contest the contents of a certain printed statement issued by the Central Repository; requiring the governing bodies of Caroline County, Dorchester County, Talbot County, and Wicomico County to adopt guidelines to carry out this Act; defining a certain term; and generally relating to criminal history records checks.

BY renumbering

Article – Criminal Procedure  
Section 10–236  
to be Section 10–234.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Criminal Procedure  
Section 10–231.2, 10–232.1, 10–234.2, and 10–236  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 42 – Senators Klausmeier, Rosapepe, Forehand, Mathias, and Colburn**

AN ACT concerning

**State Government – Commemorative Month – German–American Heritage Month**

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

BY adding to

Article – State Government  
Section 13–504  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 43 – Senator Simonaire**

AN ACT concerning

**Anne Arundel County Board of Education – Selection of Members – Straw Ballot**

FOR the purpose of requiring that a question be placed on the ballot in Anne Arundel County at the November general election of 2012 to determine the sense of the voters of the County on the issue of changing the method of selecting members of the Anne Arundel County Board of Education; providing for the carrying out of the straw ballot; and generally relating to the holding of a straw ballot in Anne Arundel County.

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

**Senate Bill 44 – Senator Colburn**

AN ACT concerning

**Dorchester County – Bay Restoration Fund – Collection of Restoration Fee**

FOR the purpose of authorizing the Dorchester County Commissioners to collect the Bay Restoration Fee on behalf of the Dorchester County Sanitary District; and generally relating to the collection of the Bay Restoration Fee.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(d)(2) and (3)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(d)(4)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 45 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcohol Awareness Program – Certificate of Completion**

FOR the purpose of prohibiting the use of a certificate of completion of a certain alcohol awareness program by certain employees or certain employers at more than one licensed establishment in Dorchester County; and generally relating to the use of a certificate of completion of an alcohol awareness program in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 13–101(a), (b), (c)(1), (d), (e), (f), and (g)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 13–101(h)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 46 – Senator Mathias****EMERGENCY BILL**

AN ACT concerning

**Somerset County – County Commissioners – Districts**

FOR the purpose of repealing the current boundaries for the county commissioner districts in Somerset County; establishing new boundaries for the county commissioner districts in Somerset County; providing for the reopening of a certain candidate filing deadline for a candidate for a certain office of member of the Somerset County Board of Education; prohibiting a certain withdrawal of candidacy; making this Act an emergency measure; and generally relating to county commissioner districts in Somerset County and the filing for candidacy for the office of member of the Somerset County Board of Education.

BY repealing  
The Public Local Laws of Somerset County  
Section 2–102(b) through (f)

Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

BY adding to

The Public Local Laws of Somerset County  
Section 2–102(b) through (f)  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

Read the first time and referred to the Committee on Reapportionment and Redistricting.

## INTRODUCTION OF JOINT RESOLUTIONS

### Senate Joint Resolution 1 – The President (By Request – Administration)

A Senate Joint Resolution concerning

#### Legislative Districting Plan of 2012

FOR the purpose of establishing a plan for legislative districts presented by the Governor pursuant to Article III, Section 5 of the Maryland Constitution; providing that this Joint Resolution shall be effective as a plan within the meaning of Article III, Section 5 of the Maryland Constitution only under certain circumstances; providing that this Joint Resolution does not preclude the enactment by the General Assembly of a subsequent Joint Resolution setting forth the boundaries of legislative districts; and generally relating to the establishment of legislative districts pursuant to Article III of the Maryland Constitution.

BY repealing

Article – State Government  
Section 2–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 2–201 to be under the amended subtitle “Subtitle 2. Legislative Districting Plan of 2012”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 2–202

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Reapportionment and Redistricting.

Introduction and Remarks by Lieutenant Governor Anthony Brown.

Introduction and Remarks by Governor Martin O'Malley.

Introductions of Honored Guests.

### **QUORUM CALL**

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

(See Roll Call No. 13)

### **ADJOURNMENT**

At 12:51 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 12, 2012.

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**Annapolis, Maryland**  
**Thursday, January 12, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:12 A.M.

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

(See Exhibit A of Appendix III)

The Journal of January 11, 2012 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 15)

**THE COMMITTEE ON REAPPORTIONMENT AND REDISTRICTING**  
**REPORT #1**

Senator Robey, Chair, for the Committee on Reapportionment and Redistricting reported favorably:

**Senate Bill 46 – Senator Mathias**

EMERGENCY BILL

AN ACT concerning

**Somerset County – County Commissioners – Districts**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Robey moved, duly seconded, to put **Senate Bill 46** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 16)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **Senate Bill 46** on Third Reading and Final Passage.

**Senate Bill 46 – Senator Mathias**

EMERGENCY BILL

AN ACT concerning

**Somerset County – County Commissioners – Districts**

STATUS OF BILL: BILL ON 3RD READING

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

Affirmative – 47 Negative – 0 (See Roll Call No. 17)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 18)

**ADJOURNMENT**

At 10:31 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 13, 2012 in honor of Specialist Ronald Wildrick.

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**Annapolis, Maryland**  
**Friday, January 13, 2012**  
**11:00 A.M. Session**

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The Senate met at 11:05 A.M.

Prayer by Reverend Sam Chamelin, Lazarus United Church of Christ, guest of Senator Getty.

(See Exhibit A of Appendix III)

The Journal of January 12, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Miller and Jacobs be excused from today's session.

**QUORUM CALL**

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

(See Roll Call No. 20)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 9 – Senator Rob Garagiola:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Maryland Korean Americans  
in recognition of

the significant contributions that Korean Americans have made in our nation, in the State of Maryland and in our local communities. We commend the hard work, loyalty and success of these citizens as we celebrate Korean American Day in Annapolis.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 9th day of January 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 44    Negative – 0    (See Roll Call No. 21)

**INTRODUCTION OF BILLS**

**Senate Bill 47 – Senator Madaleno**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2002 and 2009 – Montgomery County – MacDonald Knolls Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loans of 2002 and 2009 to extend the deadline for the Board of Directors of CHI Centers, Inc. to present evidence that a matching fund will be provided for a certain grant; requiring that the Board of Public Works expend or encumber the proceeds of the loans by June 1, 2014; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loans of 2002 and 2009.

BY repealing and reenacting, with amendments,

Chapter 290 of the Acts of the General Assembly of 2002, as amended by Chapter 707 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA00(OO)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(AI)

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

**Senate Bill 48 – Baltimore County Senators**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Baltimore County – 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 County; requiring judges of the Orphans’ Court for Baltimore County to have been admitted to practice law in this State and be members in good standing of the Maryland Bar; and submitting this amendment to the qualified voters of the State 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 Judicial Proceedings.

**Senate Bill 49 – Senator Astle**

AN ACT concerning

**Horse Racing – Maryland–Bred Race Fund – Administration**

FOR the purpose of authorizing the Maryland Racing Commission to allocate a portion of the Maryland–Bred Race Fund for horses conceived, but not necessarily foaled, in Maryland; altering the amount of the Fund the Commission may allocate for certain horse races; requiring the Commission to set the amount of certain breeder awards for races in the State and outside the State; making a technical change; and generally relating to horse racing and the Maryland–Bred Race Fund.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 11–529  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–535(d) and 11–539(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 50 – Senator Astle**

AN ACT concerning

**Motor Vehicle Administration – Selective Service Registration – Driver’s License, Moped Operator’s Permit, and Identification Card Applicants**

FOR the purpose of making certain provisions of law relating to the Motor Vehicle Administration’s collection and electronic forwarding of Selective Service registration information gender–neutral and expanding their applicability to certain minors and to applicants for moped operators’ permits; altering the conditions under which certain information about an applicant is forwarded to the Selective Service System; altering the contents of the statement the Administration is required to include on an application for a driver’s license or an identification card; requiring the Administration to include a certain

statement on an application for a moped operator's permit; requiring the Administration to forward certain information about certain applicants with a notation that a certain registration was refused; repealing a certain provision making the Administration's collection and electronic forwarding of Selective Service registration information on certain individuals to the Selective Service System contingent on the Administration's receipt of federal funds to pay for certain start-up costs; repealing a certain provision requiring the Motor Vehicle Administrator to initiate and monitor efforts to obtain certain federal funds and to report to the Department of Legislative Services when a certain contingency is fulfilled; making certain technical corrections; and generally relating to the Motor Vehicle Administration and Selective Service registration.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12–304

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Chapter 309 of the Acts of the General Assembly of 2002)

BY repealing

Chapter 309 of the Acts of the General Assembly of 2002

Section 2 and 3

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

### **Senate Bill 51 – Senator Ferguson**

#### EMERGENCY BILL

AN ACT concerning

#### **Baltimore City – Board of Liquor License Commissioners – Transfer of License**

FOR the purpose of altering a prohibition against the Board of Liquor License Commissioners for Baltimore City issuing an alcoholic beverages license or transferring a license into certain locations in Baltimore City by authorizing the Board to allow the transfer of a certain license into a certain development in a certain location in accordance with a certain local ordinance; making this Act an emergency measure; and generally relating to the issuance of alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 9–204.1(f)

Annotated Code of Maryland

(2011 Replacement Volume)

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

**Senate Bill 52 – Senator Dyson**

AN ACT concerning

**State Employees' Retirement and Pension Systems – Eligible Employees – St. Mary's Nursing Center, Inc.**

FOR the purpose of authorizing certain employees of the St. Mary's Nursing Center, Inc. to continue to participate in the State employees' retirement and pension systems; updating the name of the St. Mary's County Nursing Home in a certain list of governmental units eligible for participation in the employees' systems; and generally relating to the participation of certain St. Mary's Nursing Center, Inc. employees in the State employees' retirement and pension systems.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 31–102(2)(xvii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 31–106.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 53 – Senator Benson**

AN ACT concerning

**Creation of a State Debt – Prince George's County – Labor of Love Learning Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Community Outreach and Development Corporation in Prince George's County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of

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

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

**Senate Bill 54 – Senator Benson**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – City of Seat Pleasant  
Public Works Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Mayor and 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 Budget and Taxation.

**Senate Bill 55 – Senator Benson**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Glenarden Veterans  
Memorial**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$175,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Glenarden for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 56 – Senator Benson**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Glenarden Police Station**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Mayor and City Council of the City of

Glenarden for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 57 – Senators Brochin, Jacobs, Kittleman, and Stone**

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 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–810(a)(6) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 58 – Senator Kelley**

AN ACT concerning

**Education – Children in Informal Kinship Care Relationships – Payments for Students with Disabilities – Funding**

FOR the purpose of altering a certain provision relating to funding the education of certain students with disabilities in informal kinship care relationships; defining certain terms; and generally relating to education funding for students with disabilities in informal kinship care relationships.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–122.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 59 – Senator Kelley**

AN ACT concerning

**State Commission on Criminal Sentencing Policy – Annual Report –  
Reporting Date**

FOR the purpose of altering the date by which the State Commission on Criminal Sentencing Policy is required to submit a certain report; clarifying the contents of the report; and generally relating to the State Commission on Criminal Sentencing Policy.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–209  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**QUORUM CALL**

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

(See Roll Call No. 22)

**ADJOURNMENT**

At 11:25 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 16, 2012.

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**Annapolis, Maryland**  
**Monday, January 16, 2012**  
**8:00 P.M. Session**

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The Senate met at 8:10 P.M.

Prayer by Dr. Donte L. Hickman, Sr., Southern Baptist Church, guest of Senator McFadden.

(See Exhibit A of Appendix III)

The Journal of January 13, 2012 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 34)

**INTRODUCTION OF BILLS**

**Senate Bill 60 – Senator Stone**

AN ACT concerning

**Criminal Law – Knowingly Transferring the HIV Virus to Another Individual – Felony**

FOR the purpose of altering the classification of the crime of knowingly transferring or attempting to transfer the human immunodeficiency virus (HIV) to another individual from a misdemeanor to a felony; increasing the maximum penalty for the crime of knowingly transferring or attempting to transfer HIV to another individual; and generally relating to the knowing transfer of the human immunodeficiency virus.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 18–601.1  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 61 – Senator Stone**

AN ACT concerning

**Counties – Temporary Kennel License**

FOR the purpose of requiring a local licensing agency, under certain circumstances, to issue a temporary kennel license to a certain individual who owns or keeps the maximum number of dogs allowed without a kennel license and seeks to keep and care for a dog owned by another individual who is serving on active duty in the armed forces of the United States; and generally relating to temporary kennel licenses.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 11–501(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 11–501(a–1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 11–501(a–2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 62 – Senators Stone, Brochin, McFadden, Reilly, and Simonaire**

AN ACT concerning

**Maryland Transportation Authority – Fixing or Revising Tolls – Legislative Approval Required**

FOR the purpose of prohibiting the Maryland Transportation Authority from fixing or revising a toll on any part of any transportation facilities project unless the

General Assembly approves the toll through legislation enacted into law; authorizing the Authority, on or after the effective date of this Act, to continue to charge and collect a toll of the same amount in effect before the effective date of this Act; and generally relating to tolls for the use of transportation facilities projects under the jurisdiction of the Maryland Transportation Authority.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–312  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 63 – Senators Kelley, Astle, Colburn, Conway, DeGrange, Forehand, Klausmeier, Manno, Mathias, McFadden, Middleton, Pinsky, Pugh, Robey, Stone, and Young**

AN ACT concerning

**Child Abuse and Neglect – Failure to Provide Notice or Report – Civil Liability and Criminal Penalty**

FOR the purpose of expanding immunity from civil liability or criminal penalty to a person who provides or participates in providing notice of child abuse or neglect to the appropriate authorities; adding a medical examiner and a parole or probation agent to the list of individuals who are specifically required to notify the appropriate authorities and make a certain report in a certain manner if the individual, acting in a professional capacity in this State, has reason to believe a child has been subjected to abuse or neglect; making it a misdemeanor, subject to a certain penalty, for certain health practitioners, police officers, educators, parole and probation agents, and human service workers to knowingly fail to provide a certain notice or make a certain report of suspected child abuse or neglect under certain circumstances; requiring the Office of the Chief Medical Examiner to send an autopsy report to certain officials if the office finds a death investigated by the office was caused by or related to child abuse or neglect; establishing that an individual who is specifically required to provide a certain notice or make a certain report who knowingly fails to provide the notice or make the report may be held civilly liable for damages arising from the failure to provide the notice or make the report; and generally relating to reporting child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–620  
Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–704

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

(As enacted by Chapter 635 of the Acts of the General Assembly of 1987)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–708

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 64 – Senator Simonaire**

AN ACT concerning

**Public Safety – Machine Gun Registration – Notice to Renew**

FOR the purpose of requiring the Secretary of State Police, on or before a certain date in each year succeeding the registration of a machine gun, to notify in writing the registrant of the requirement to renew the registration; and generally relating to the registration of machine guns.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4–403

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

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

**Senate Bill 65 – Senator Astle**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Dedicated Funds – Prohibition of Transfer – Chesapeake and Atlantic Coastal Bays 2010 Trust Fund and Bay Restoration Fund**

FOR the purpose of proposing an amendment to the Maryland Constitution prohibiting certain transfers of certain dedicated funds to the General Fund;

and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an addition to the Maryland Constitution

Article III – Legislative Department

Section 53

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

**Senate Bill 66 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages Licenses – Class C–3 Club License**

FOR the purpose of removing the requirement in Harford County for a country club to maintain a certain number of tennis courts to be eligible for a Class C–3 club alcoholic beverages license; and generally relating to eligibility for a Class C–3 club alcoholic beverages license in Harford County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6–301(n)(6)

Annotated Code of Maryland

(2011 Replacement Volume)

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

**Senate Bill 67 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants**

FOR the purpose of altering the residency requirement for applicants for alcoholic beverages licenses in Harford County; and generally relating to alcoholic beverages licenses in Harford County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 9–101(a)(2)

Annotated Code of Maryland

(2011 Replacement Volume)

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

**Senate Bill 68 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages – Wine Festival License**

FOR the purpose of removing a certain requirement that wine festivals in Harford County be held at a certain time, during certain months, and not conflict with other certain wine festivals; and generally relating to wine festival licenses in Harford County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–309  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 69 – Senators Brochin, Jennings, and Stone**

AN ACT concerning

**Elections – Early Voting – Dates**

FOR the purpose of altering the days on which early voting shall be conducted before a primary and general election; repealing certain obsolete provisions relating to early voting; and generally relating to the days for early voting before each primary and general election.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 70 – Senator Kelley**

AN ACT concerning

**Family Law – Permanency Planning and Guardianship Review Hearings –  
Court Procedures**

FOR the purpose of establishing certain methods by which the juvenile court, in certain permanency planning and guardianship review hearings, may satisfy the requirement that the court consult on the record with the child under certain circumstances; and generally relating to 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 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–823(k)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 5–326(a)(1) and (2)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–326(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 71 – Senator Kelley**

AN ACT concerning

**Health – General – Posthumous Use of Donor Sperm and Eggs**

FOR the purpose of prohibiting a person from using sperm or eggs from a known donor after the donor's death for the purpose of assisted reproduction, except under certain circumstances; establishing requirements for a certain consent; establishing certain penalties for a violation of this Act; and generally relating to the posthumous use of donor sperm and eggs.

BY adding to

Article – Health – General  
Section 20–111  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 72 – Senator Kelley**

AN ACT concerning

**Medical Treatment – Youth – Registered Nurses and Physician Assistants**

FOR the purpose of providing that a minor has the same capacity as an adult to consent to medical treatment if a registered nurse or physician assistant makes a certain determination; providing that a registered nurse, physician assistant, or an individual under the direction of a registered nurse or physician assistant who treats a minor is not liable for civil damages or subject to certain penalties under certain circumstances; authorizing a registered nurse or physician assistant to give certain information to certain individuals; authorizing a registered nurse or physician assistant to advise or direct certain medical staff to give certain information to certain individuals; and generally relating to medical treatment of minors.

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 20–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 73 – Senators Kelley, Colburn, Jacobs, Manno, Montgomery, and Rosapepe**

AN ACT concerning

**State Government – Commemorative Days – Maryland Centenarians Day**

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

BY adding to

Article – State Government  
Section 13–410  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 74 – Senator Kelley**

AN ACT concerning

**Common Ownership Communities – Fidelity Insurance – Indemnification**

FOR the purpose of altering the scope of indemnification provided by fidelity insurance that the board of directors or other governing body of a cooperative housing corporation, council of unit owners or other governing body of a condominium, or board of directors or other governing body of a homeowners association is required to purchase under certain circumstances; requiring a management company that provides certain services to a cooperative housing corporation, condominium, or homeowners association to purchase certain fidelity insurance under certain circumstances; making stylistic changes; and generally relating to common ownership communities and fidelity insurance.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 5–6B–18.6  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–114.1 and 11B–111.6  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 75 – Senator Kelley**

AN ACT concerning

**Condominiums and Homeowners Associations – Sales Contracts – Notice of Potential Special Assessments**

FOR the purpose of providing that a contract for the resale of a unit in a condominium by a unit owner other than a developer is not enforceable unless the contract of sale contains a certain notice and the unit owner furnishes to the purchaser certain information concerning potential special assessments under certain circumstances; providing that a contract for the resale of a lot in a development,

or for the initial sale of a lot in a certain development, is not enforceable by the vendor unless the purchaser is given a certain notice concerning potential special assessments under certain circumstances; providing for the application of this Act; and generally relating to notice of potential special assessments in the sale of condominiums and homeowners associations.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–135 and 11B–106  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 76 – Senators Kelley, Forehand, Jacobs, Manno, Montgomery, and Rosapepe**

AN ACT concerning

**Criminal Law – Controlled Dangerous Substances – Research – Synthetic Cannabinoids**

FOR the purpose of authorizing a certain authorized provider to conduct research in the State with certain controlled dangerous substances not scheduled under federal law under certain circumstances; listing certain chemical compounds, known as synthetic cannabinoids, on Schedule I for purposes of designating controlled dangerous substances that may not be legally used, possessed, or distributed; and generally relating to controlled dangerous substances.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–304 and 5–402(d)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 77 – Senator Kelley**

AN ACT concerning

**Life Insurance and Annuities – Unfair Claim Settlement Practices – Failure to Cross-Check Death Master File**

FOR the purpose of requiring an insurer that issues or delivers a policy of life insurance or an annuity contract in the State to perform a cross-check of the insurer's in-force life insurance policies, annuity contracts, and retained asset

accounts against a certain death master file to identify any death benefit payments that may be due as a result of the death of an insured, annuitant, or account holder; requiring the insurer to perform the cross-check at certain intervals and in a certain manner; requiring the insurer to take certain actions, within a certain time period, if the cross-check results in a potential match with an insured, annuitant, or account holder; prohibiting the insurer from charging certain persons for any fees or costs incurred by the insurer in connection with complying with certain provisions of this Act; authorizing the Maryland Insurance Commissioner to adopt certain regulations; providing that the failure of the insurer to comply with any provision of this Act or any regulation adopted under this Act is an unfair claim settlement practice under certain provisions of law; defining a certain term; and generally relating to the payment of death benefits under life insurance policies, annuity contracts, and retained asset accounts.

BY adding to

Article – Insurance  
Section 16–118  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

### **Senate Bill 78 – Senator Kelley**

AN ACT concerning

#### **Real Property – Condominiums and Homeowners Associations – Foreclosure of Certain Liens Prohibited**

FOR the purpose of prohibiting a council of condominium unit owners or a homeowners association from foreclosing certain liens if the damages secured by the lien consist only of certain fines or attorney's fees; requiring a council of unit owners and a homeowners association to apply a certain payment to a unit or lot owner's account in a certain order of priority; and generally relating to collection of certain fines, fees, and assessments by condominium councils of unit owners and homeowners associations.

BY repealing and reenacting, without amendments,

Article – Real Property  
Section 11–110(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 11–110(e), 11B–112.1, and 14–204(a)

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 79 – Senator Zirkin**

AN ACT concerning

**Baltimore County – Car Dealers – Sunday Operations**

FOR the purpose of authorizing, in Baltimore County, a new or used car dealer to sell, barter, deliver, give away, show, or offer for sale a motor vehicle or a certificate of title for a motor vehicle on Sunday; and generally relating to car dealers in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 18–101  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)  
(As enacted by Chapters 182 and 183 of the Acts of the General Assembly of 2011)

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

**Senate Bill 80 – Senator Zirkin**

AN ACT concerning

**Courts – Evidence – Vehicle Repair Estimates**

FOR the purpose of providing that, on certain testimony by a party or certain other persons, a written vehicle repair estimate prepared by an insurer or its authorized representative is admissible, without the testimony of the preparer of the estimate, as evidence of the authenticity and the fairness and reasonableness of the estimate; making certain provisions concerning the admissibility of paid bills for goods or services applicable to certain written vehicle repair estimates; providing for the application of this Act; and generally relating to the admissibility of certain written vehicle repair estimates as evidence of certain matters in certain civil trials.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–105  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 81 – Senator Zirkin**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Baltimore County – 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 County; requiring judges of the Orphans’ Court for Baltimore County to have been admitted to practice law in this State and be members in good standing of the Maryland Bar; and submitting this amendment to the qualified voters of the State 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 Judicial Proceedings.

**Senate Bill 82 – Senator Zirkin**

AN ACT concerning

**Maryland Automobile Insurance Fund – Claims for Bodily Injury or Death –  
Payment Limitation**

FOR the purpose of increasing the maximum amounts payable from the Maryland Automobile Insurance Fund for certain claims on account of injury to or death of one individual and of more than one individual arising from a motor vehicle accident; and generally relating to claims against the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 20–602  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 83 – Senator Zirkin**

AN ACT concerning

**Real Estate Brokers – Contract Provisions – Payment of Legal Fees**

FOR the purpose of authorizing a certain real estate contract to contain a provision for the payment of legal fees by the losing party in a certain legal action only if the provision is equally applicable to both parties to the contract; and generally relating to provisions for the payment of legal fees in real estate contracts.

BY adding to

Article – Business Occupations and Professions

Section 17–524.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 84 – Senator DeGrange**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Hospice of the Chesapeake Renovation Phase 1**

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

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

**Senate Bill 85 – Senators Jennings and Getty**

AN ACT concerning

**Election Law – Baltimore County Republican Party Central Committee – Election of Chairman**

FOR the purpose of requiring the Chairman of the Baltimore County Republican Party Central Committee to be elected by the members of the central committee from among its members and in accordance with its bylaws instead of being elected at large; altering the number of members of the central committee; and

generally relating to the election of the Chairman of the Baltimore County Republican Party Central Committee.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 4–202 and 4–203(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 86 – Senator Glassman**

AN ACT concerning

#### **Property Tax – Assessment Appeal Hearings – Right to Record**

FOR the purpose of authorizing a taxpayer to record certain property tax appeal hearings at the taxpayer's expense; providing that the State Department of Assessments and Taxation may not be required to provide recording equipment; providing that the Department is not required to update printed copies of the Property Owner's Bill of Rights until the next scheduled printing; requiring the Department to update the Department's Web site to reflect changes made in this Act; adding a certain right of taxpayers in the Property Owner's Bill of Rights; and generally relating to certain rights of property owners.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 1–402 and 14–510  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 87 – Senator Glassman**

AN ACT concerning

#### **State Payments of Public School Construction Costs – Remittance of Reimbursement to County**

FOR the purpose of requiring the State, when the State provides reimbursement of forward-funded public school construction or public school capital improvement projects, to remit the funds to the county government for certain payments; prohibiting the State from remitting reimbursement funds to the county board

of education; and generally relating to State payments of public school construction and capital improvement costs.

BY adding to

Article – Education

Section 5–301(h–1)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 88 – Senator Glassman**

AN ACT concerning

**Local States of Emergency – Time Period – Extension**

FOR the purpose of altering a certain time period that a local state of emergency may continue or be renewed without the consent of the local governing body; and generally relating to declarations of local states of emergency.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 14–111

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

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

**Senate Bill 89 – Senators Jacobs, Colburn, Montgomery, and Stone**

AN ACT concerning

**Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop**

FOR the purpose of altering a certain provision of law requiring vehicular traffic to stop and take certain steps when approaching a nonfunctioning traffic control signal at certain intersections to apply the requirement to all intersections; requiring vehicular traffic approaching a nonfunctioning traffic control signal at an intersection to stop in a certain manner, yield to certain other vehicles, and remain stopped until it is safe to continue through the intersection; and generally relating to nonfunctioning traffic control signals at intersections.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–101(l)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 90 – Senators Jacobs and Montgomery**

AN ACT concerning

#### **Crimes – Manslaughter by Vehicle – Definition of “Operating”**

FOR the purpose of defining the term “operating”, for purposes of a certain provision of law stating the elements of the felony of manslaughter by vehicle, to include certain acts involving loading, unloading, or securing a load on a vehicle or attaching equipment to a vehicle and certain acts required by law of a person driving, operating, or controlling a vehicle; and generally relating to the felony of manslaughter by vehicle.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 2–209  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

### **Senate Bill 91 – Senators Jacobs, Colburn, and Reilly**

AN ACT concerning

#### **Election Law – Petitions – Confidentiality**

FOR the purpose of prohibiting public inspection of a petition after the petition is filed with the State Board of Elections or a county board of elections, with a certain exception; requiring a custodian to permit a person to inspect a petition if the person requires access to the petition to facilitate judicial review of a determination concerning the sufficiency of the petition; providing that a custodian may not disclose personal information contained in a petition to the general public; defining a certain term; and generally relating to the confidentiality of petitions.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 6–205(a)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Election Law  
Section 6–205(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 10–616(v)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 92 – Senator Ferguson**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Meals on Wheels Green Building**

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 Meals on Wheels of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 93 – Senator Ferguson**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Patterson Park Public Charter School Facade Restoration**

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 Patterson Park

Public Charter School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 94 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board for Certification of Residential Child Care Program Professionals – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board for Certification of Residential Child Care Program Professionals 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 that address certain issues to certain committees of the General Assembly on or before certain dates; and generally relating to the State Board for Certification of Residential Child Care Program Professionals.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 20–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(61)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 95 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Social Work Examiners – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Social Work Examiners in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the board; requiring that an evaluation of the board and the statutes and regulations that relate to the board be performed on or before a certain date; requiring the board to submit a report to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Social Work Examiners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 19–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(64)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 96 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation**

FOR the purpose of continuing the State Board of Certified Interior Designers in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; repealing certain termination provisions relating to the Occupational and Professional Licensing Design Boards' Fund and the authority of certain occupational and professional licensing design boards to set fees; and generally relating to the occupational and professional licensing design boards.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 8–602  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(32)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Chapter 227 of the Acts of the General Assembly of 2003, as amended by  
Chapter 273 of the Acts of the General Assembly of 2008  
Section 8

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

### **Senate Bill 97 – Senator Kelley**

AN ACT concerning

#### **Maryland Medical Assistance Program – Eligibility Determinations**

FOR the purpose of requiring the Department of Health and Mental Hygiene to send a certain notice of a right to appeal if the Department does not render an eligibility determination for an applicant for benefits and services from the Maryland Medical Assistance Program within a certain period of time;

requiring the Department to render an eligibility determination for an applicant at a certain hearing under certain circumstances; requiring the Department to provide a certain applicant with a detailed list of certain information; requiring the Department to give an applicant a certain period of time to provide certain information before rendering an eligibility determination; requiring the Department to render an eligibility determination for an applicant within a certain period of time after receiving certain information; requiring the Department and the Department of Human Resources to submit certain budget estimates in a certain manner; providing that a certain budget estimate shall be considered a certain estimate prescribed by law; requiring the Department and the Department of Human Resources to report certain information to the General Assembly on or before the first day of each month; defining a certain term; and generally relating to eligibility determinations for the Maryland Medical Assistance Program.

BY adding to

Article – Health – General  
Section 15–147  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 98 – Senators Kelley and Colburn**

AN ACT concerning

#### **Real Property – Recordation – Foreclosure Sales**

FOR the purpose of requiring a certain purchaser in a foreclosure sale to pay the entire amount of any required recordation or transfer taxes; requiring a certain person to record a deed or final order of ratification within a certain period of time after the entry of a final order ratifying a foreclosure sale; establishing a certain penalty for a violation of this Act; and generally relating to recordation requirements and foreclosure sales.

BY adding to

Article – Real Property  
Section 3–101.1 and 3–102.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 41 – Senator Colburn**

AN ACT concerning

**Caroline County, Dorchester County, Talbot County, and Wicomico County –  
Prospective Employees and Volunteers – Criminal History Records Check**

**SB0041/638274/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 41

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Colburn” and substitute “Senators Colburn, Pipkin, and Mathias”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Martin Luther King, Jr. Day Presentation Given by The Honorable Catherine Pugh

**MARTIN LUTHER KING DAY SPEECH**

JANUARY 16, 2012

GOOD EVENING MR. PRESIDENT, PRESIDENT PRO-TEM, COLLEAGUES AND GUESTS...IT IS WITH HEARTFELT HONOR THAT I STAND BEFORE YOU THIS EVENING TO SHARE SOME THOUGHTS ON THIS NATIONAL HOLIDAY IN CELEBRATION OF ONE OF OUR NATION'S GREATEST LEADERS AND MY PERSONAL HERO...AND I AM SURE HERO TO MANY...MARTIN LUTHER KING, JR...WHO WAS ACTUALLY BORN MICHAEL LUTHER KING, JR. ON JANUARY 15, 1929, AND WAS ASSASSINATED ON THE ANNIVERSARY OF MY BROTHER'S BIRTHDAY...APRIL 4, 1968.... FOR THOSE WHO WERE LIVING...AT ANY AGE...IT WAS A DAY THAT WOULD NEVER BE FORGOTTEN....

IT WAS LIKE A SHOT HEARD AROUND THE WORLD...THAT CAST A DARK CLOUD OVER OUR NATION'S HISTORY...THAT STRUCK A BLOW AGAINST EQUALITY AND JUSTICE FOR ALL....

I CONTEMPLATED DEEPLY WHAT I WANTED TO SHARE WITH YOU THIS EVENING.... MANY OF YOU...MOST OF YOU I'M SURE ARE FAMILIAR WITH MARTIN LUTHER KING, JR.'S MOST RENOWNED SPEECH...I HAVE A DREAM...GIVEN ON THE STEPS OF THE LINCOLN MEMORIAL BEFORE A CROWD OF OVER 250,000 PEOPLE...WHO MARCHED TO WASHINGTON, D.C. THAT FATEFUL DAY...FOR JOBS, JUSTICE AND EQUALITY....OH...HOW I WISH I COULD HAVE BEEN THERE....

AND IN THE MANY CELEBRATIONS THAT SOME OF US WILL AND HAVE PARTICIPATED THAT SPEECH IS REITERATED AND SHARED TIME AND TIME AGAIN...I DECIDED TO HARP JUST A LITTLE ON THE TOPIC THAT I BELIEVE MARTIN MOST FERVENTLY EMBODIED AND STOOD FOR...EQUALITY....

I ALSO WANTED TO TAKE A FEW MINUTES...AND GIVE REFLECTIONS ON WHAT I THOUGHT MARTIN LUTHER KING, JR. MIGHT SAY TO US...IF HE WERE LIVING TODAY...AT THE YOUNG AGE OF 83....

MR. PRESIDENT I ACTUALLY TRIED TO PICTURE HIM...STANDING HERE IN THESE CHAMBERS...WHAT ADVICE WOULD HE GIVE US...WHAT ACTIONS MIGHT HE IMPLORE US TO UNDERTAKE...AND WHAT CONSCIOUSNESS WOULD HE HAVE US APPLY...I CONCLUDED THAT HE PROBABLY WOULD SHARE MANY OF THE SAME WORDS THAT HAVE BECOME A PART OF HIS...HISTORICAL REPERTOIRE....

WHEN A FIFTH GRADE CLASS WAS ASKED TO GIVE ONE WORD THAT IDENTIFIED WHAT MARTIN LUTHER KING, JR. STOOD FOR...THE WORD MOST OFTEN REPEATED WAS EQUALITY....

MARTIN LUTHER KING, JR. LIVED, FOUGHT AND DIED THAT ALL MEN AND WOMEN MIGHT BE SEEN AND TREATED AS EQUAL...THAT WE MIGHT SEE BEYOND THE COLOR OF ONE'S SKIN, RELIGION, CHALLENGES, SHORTCOMINGS...AND WELL MEANINGS...AND THAT WE MIGHT UNDERSTAND THAT OUR DIFFERENCES...WHICH TO SOME PRESENT CHALLENGES...ARE MORE SO...OPPORTUNITIES TO LEARN ABOUT EACH OTHER AND IN THE LEARNING DISCOVER AND UNDERSTAND OUR COMMONALITIES...FOR WE ARE ALL GOD'S CHILDREN....

I THOUGHT IT WAS INTERESTING THOUGH THAT WHEN YOU GOOGLE THE WORD EQUAL...THAT THE FIRST DEFINITION THAT APPEARS IS THAT OF A SWEETENER YOU TRUST THAT PERFECTLY FLAVORS YOUR FAVORITE BEVERAGES WITHOUT CALORIES....

THE WORD IN THAT DEFINITION THAT STOOD OUT THE MOST FOR ME WAS TRUST...HOWEVER NOT APPLICABLE IN THE DICTIONARY DEFINITION...OF EQUAL...WHICH APPEARED SECOND IN MY SEARCH...AS A DICTIONARY DEFINITION...EQUAL IS DEFINED...AS THE SAME...LIKE...OR ALIKE IN QUANTITY, DEGREE, VALUE...OF THE SAME RANK, ABILITY, MERIT....

AND SO IT IS THAT DEFINITION...THAT I USED TO REFLECT UPON WHAT I THOUGHT MARTIN LUTHER KING, JR. MIGHT WANT TO SHARE WITH US THIS EVENING...INTERTWINED IN THIS SPEECH ARE SOME OF MARTIN'S MOST FAMOUS QUOTES...THAT CONTRIBUTED TO HIM BECOMING ONE OF THE GREATEST ORATORS THIS NATION HAS EVER KNOWN....

THIS IS AN AWESOME BODY I HAVE BEEN ASSURED...TO BE A PART OF.... EVERY YEAR WE COME HERE TO THESE CHAMBERS, OUR COMMITTEES...TO DO WHAT? CHANGE LAWS...MAKE NEW ONES...AND IN SOME CASES TO REPEAL THEM.... AND FOR WHAT REASON? TO IMPROVE THE WELL BEING FOR THOSE WE SERVE.... MANY OF US SPEND A GREAT DEAL OF TIME...TRYING TO LEVEL THE PLAYING FIELD...SEEKING EQUALITY IN THE SHARING OF WEALTH, OPPORTUNITY, AND THE PROVISION OF SOCIAL AND POLITICAL JUSTICE.... THESE NEXT FEW MONTHS, COLLEAGUES, WILL CHALLENGE US ONCE AGAIN...TO EMBRACE, EQUALITY, DIVERSITY...TO NOT FEAR CHANGE NOR DELAY JUSTICE BUT APPLY IT....

IN A STATE THAT IS KNOWN AS ONE OF THE WEALTHIEST IN THE NATION... THAT HAS INCREASINGLY GROWN MORE DIVERSE...YET THE POOR CONTINUE TO GROW POORER WHILE THE RICH GROW MORE RICH...WE HAVE A RESPONSIBILITY TO BE FAIR...AND NOT BALANCE OUR BUDGET ON THE BACKS OF THOSE WHO CAN LEAST AFFORD IT.... THE ULTIMATE MEASURE OF A MAN IS NOT WHERE HE STANDS IN THE MOMENTS OF COMFORT AND CONVENIENCE, SAID MARTIN LUTHER KING, JR., BUT WHERE HE STANDS AT TIMES OF CHALLENGE AND CONTROVERSY...THESE ARE MY COLLEAGUES INDEED CHALLENGING TIMES AS WE MOVE TO JUMP START NEW INDUSTRIES IN THIS STATE, WHETHER IT IS WIND OR BIOTECHNOLOGY....

AND WE REQUIRE THE USE OF PUBLIC DOLLARS...OR THE INCREASE OF FEES WHERE ALL THE PUBLIC MUST PAY...WE HAVE TO ASK THE QUESTION...HAVE WE BEEN INCLUSIVE, DIVERSE AND COGNIZANT OF THE PEOPLE WE SERVE...AND THUS HAVE WE REQUIRED THAT OWNERSHIP OF THESE NEW AND EXPANDING INDUSTRIES REFLECT THE DIVERSITY OF WHICH THIS STATE HAS EMERGED....

NEVER, NEVER BE AFRAID TO DO WHAT'S RIGHT, ESPECIALLY IF THE WELL-BEING OF A PERSON OR ANIMAL IS AT STAKE, SAID MARTIN LUTHER KING. SOCIETY'S PUNISHMENTS ARE SMALL COMPARED TO THE WOUNDS WE INFLICT ON OUR SOULS WHEN WE LOOK THE OTHER WAY....

THESE ARE INDEED MY COLLEAGUES CHALLENGING TIMES...AS WE SEEK TO REDISTRICT THIS STATE AND JURISDICTIONS BASED ON NEW NUMBERS PROVIDED US THROUGH OUR LATEST CENSUS COUNT....

AND WHILE WE HAVE NOT SPREAD IN OUR GROWTH EQUALLY ACROSS THIS STATE IN COMMUNITIES WHERE WE CAN EASILY NUMERICALLY, AND DIVERSELY BE DIVIDED WE HAVE GROWN MORE DIVERSE AND SO AS WE MOVE THE PROCESS OF REDISTRICTING FORWARD....

WE MUST DO IT WITH JUSTICE AND RESPECT FOR THE DIVERSITY THAT HAS OCCURRED AND PUT ASIDE OUR PERSONAL PREFERENCES AND ACT IN THE BEST INTEREST OF ALL THE CITIZENS WE SERVE....

AN INDIVIDUAL, SAID MARTIN LUTHER KING, JR., HAS NOT STARTED LIVING UNTIL HE CAN RISE ABOVE THE NARROW CONFINES OF HIS INDIVIDUALISTIC CONCERNS TO THE BROADER CONCERNS OF ALL MANKIND....

DURING THIS SESSION WE WILL BE ASKED ONCE AGAIN TO OPEN OUR EYES, HEARTS AND MINDS...TO A CHANGING SOCIETY....

AND FOR MANY IN THIS BODY AND IN OUR COMMUNITIES IT PRESENTS A CHALLENGE, OF THE MIND AND THE SPIRIT...GAY RIGHTS, THE DREAM ACT...PRISONER AND EX-OFFENDERS RIGHTS...CHANGE CAN BE UNCOMFORTABLE...SOME OF THE CHANGES THAT THIS BODY MUST UNDERTAKE WILL REQUIRE COURAGE...AND CAN ONLY TAKE PLACE WHEN WE ACT....

BUT BEFORE YOU ACT...I ASK THAT YOU ATTEMPT TO STAND IN THE SHOES OF THE ONES WHOSE LIVES ARE AT BAY...WAITING FOR YOU TO DECIDE...LIVES YOU WILL IMPACT WITH THE DECISION YOU MAKE...THOSE WHO ARE LONG SUFFERING...THOSE WHO ASK TO BE NEAR LOVED ONES IN THEIR TIME OF NEED, TO SHARE IN THEIR SUCCESSES AND FAILURES, TO BE EQUALLY TREATED....

ONE OF THE GREATEST LIABILITIES OF HISTORY, SAID MARTIN LUTHER KING, JR., IS THAT ALL TOO MANY PEOPLE FAIL TO REMAIN AWAKE THROUGH THE GREAT PERIODS OF SOCIAL CHANGE. EVERY SOCIETY HAS ITS PROTECTORS OF STATUS QUO AND ITS FRATERNITIES OF THE INDIFFERENT WHO ARE NOTORIOUS FOR SLEEPING THROUGH REVOLUTIONS.

TODAY, OUR VERY SURVIVAL DEPENDS ON OUR ABILITY TO STAY AWAKE TO ADJUST TO NEW IDEAS, TO REMAIN VIGILANT AND TO FACE THE CHALLENGE OF CHANGE.

AND FINALLY I SAY TO YOU THIS EVENING...THAT AS WE DELIBERATE IN THESE CHAMBERS AND COMMITTEES...REMEMBER, AS MARTIN LUTHER KING, JR. WOULD HAVE YOU REMEMBER...TO RESPECT THE VIEWS AND OPINIONS OF OTHERS...ACT WITH THE INTENTION OF DOING GOOD DEEDS AND NOT DEMORALIZING ONE ANOTHER'S CHARACTER...THAT IF ONE

DOES NOT SEE YOUR VIEW IT DOES NOT MEAN THAT HE OR SHE IS NOT OF GOOD WILL.... I ASK THAT YOU...EMBRACE DIVERSITY, EXERCISE INCLUSION, APPLY JUSTICE, AND WELCOME CHANGE....

AND SO I SAY TO YOU TODAY, MY FRIENDS, SAID MARTIN LUTHER KING, JR...EVEN THOUGH WE FACE THE DIFFICULTIES OF TODAY AND TOMORROW, 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 ITS...CREED...WE HOLD THESE TRUTHS...TO BE SELF-EVIDENT...THAT ALL MEN AND WOMEN ARE CREATED EQUAL.

### **QUORUM CALL**

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

(See Roll Call No. 35)

### **ADJOURNMENT**

At 8:38 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 17, 2012.

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**Annapolis, Maryland**  
**Tuesday, January 17, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:11 A.M.

Prayer by Reverend Peter W. Mayer, St. Margaret's Episcopal Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of January 16, 2012 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 39)

**INTRODUCTION OF BILLS**

**Senate Bill 99 – Senators Colburn and Mathias**

AN ACT concerning

**Wicomico County – Board of Education – Selection of Members – Straw Ballot**

FOR the purpose of requiring that a question be placed on the ballot in Wicomico County at the November general election of 2012 to determine the sense of the voters of the County on the issue of changing the method of selecting members of the Wicomico County Board of Education; providing for the carrying out of the straw ballot; and generally relating to the holding of a straw ballot in Wicomico County.

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

**Senate Bill 100 – Senators Colburn and Pipkin**

AN ACT concerning

**Creation of a State Debt – Caroline County – The Wharves at Choptank  
Crossing Heritage and Welcome Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Denton Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 101 – Senator Colburn**

AN ACT concerning

**Department of Natural Resources – Tracking Device on Vessel – Prohibition  
Without Court Order**

FOR the purpose of prohibiting the Secretary of Natural Resources or a Natural Resources police officer from placing or installing a tracking device on a vessel without first obtaining a certain court order; authorizing the Secretary or a Natural Resources police officer to apply for a certain court order in a certain manner; requiring a court to enter a certain order under certain circumstances; authorizing extensions of a certain order under certain circumstances; requiring certain persons to furnish certain assistance to a Natural Resources police officer under certain circumstances; providing for the construction of this Act; establishing a complete defense against certain civil or criminal actions; requiring certain reports relating to certain court orders; defining a certain term; and generally relating to the placement or installation of tracking devices on vessels.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 1–204  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Natural Resources  
Section 1–204.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 102 – Senator Colburn**

AN ACT concerning

**Criminal Law – Shelter and Weather Protection Requirement – Bison Exemption**

FOR the purpose of providing that the prohibition against unnecessarily failing to provide an animal with shelter or protection from the weather does not apply to a person who has charge or custody of bison, as owner or otherwise; and generally relating to the abuse or neglect of animals.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–604  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 103 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Hours for Sale**

FOR the purpose of altering the hours for sale on a certain day for holders of a certain alcoholic beverages license in Dorchester County; and generally relating to the hours for sale for alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 11–510(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–510(b)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 104 – Senator Colburn**

AN ACT concerning

**Dorchester County – Sailwinds Park, Inc. – Service of Alcohol – Wristbands**

FOR the purpose of requiring Sailwinds Park, Inc. to distribute wristbands to certain individuals at certain events; prohibiting Sailwinds Park, Inc. from serving alcoholic beverages to individuals who do not wear wristbands at certain events; and generally relating to prohibiting Sailwinds Park, Inc. from serving alcoholic beverages to individuals who do not wear wristbands.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(a) and (k)(1) and (2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–301(k)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 105 – Senator Colburn****EMERGENCY BILL**

AN ACT concerning

**Dorchester County – Turkey Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person to hunt turkey on private property on certain Sundays in Dorchester County; making this Act an emergency measure; and generally relating to turkey hunting on Sundays.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 106 – Senator Colburn**

AN ACT concerning

**Talbot County – Alcoholic Beverages Violations – Issuance of Citations**

FOR the purpose of authorizing certain alcoholic beverages inspectors in Talbot County to issue citations for certain alcoholic beverages violations; and generally relating to the issuance of citations for alcoholic beverages violations by alcoholic beverages inspectors in Talbot County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–119  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #1**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 9 – Senator Forehand**

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2011 – Montgomery County –  
Mental Health Association HVAC Replacement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 83 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
William S. Ratchford II  
in recognition of  
his unparalleled excellence in public service on his  
50th legislative session. His numerous contributions  
in public policy have so richly benefited  
the citizens of Maryland.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 17th day of January 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 44    Negative – 0    (See Roll Call No. 40)

### **QUORUM CALL**

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

(See Roll Call No. 41)

### **ADJOURNMENT**

At 10:39 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 18, 2012.

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**Annapolis, Maryland**  
**Wednesday, January 18, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:12 A.M.

Prayer by Rabbi Mark Raphael, Kehilat Shalom Synagogue, guest of Senator King.

(See Exhibit A of Appendix III)

The Journal of January 17, 2012 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 45)

**INTRODUCTION OF BILLS**

**Senate Bill 107 – Senators Brochin and Peters**

AN ACT concerning

**Criminal Law – Electronic Harassment – Penalties**

FOR the purpose of prohibiting a person from making a certain electronic communication with the intent to terrify, intimidate, or harass another person, or place another person in reasonable fear of injury or physical harm to that person or the property of that person; establishing certain penalties for a violation of this Act; providing for the application of this Act; providing that this Act does not have any effect on the lawfulness of certain policies of electronic mail service providers; defining certain terms; and generally relating to electronic harassment.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–805.1(a)(1) and (4)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Law  
Section 3–805.2  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

Senator Klausmeier moved to suspend Senate Rule 32(e) to allow the following bills to be referred to the appropriate committee.

The motion was adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 46)

### INTRODUCTION OF BILLS

**Senate Bill 108 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

#### **Maryland Horse Industry Board – Licensing**

FOR the purpose of repealing and altering certain requirements relating to licensure and inspection of horse establishments, including boarding stables, lesson or riding stables, and rescue and sanctuary stables by the Maryland Horse Industry Board; repealing certain fees; increasing a certain fee; altering certain grounds for license suspension or revocation by the Board and the Secretary of Agriculture; increasing a certain fine; requiring the Board to provide the opportunity for a hearing in accordance with certain procedures under certain circumstances; requiring the Board to provide certain notice under certain circumstances; authorizing the Board to issue a subpoena under certain circumstances; repealing certain obsolete provisions related to livestock dealers; repealing certain defined terms; defining certain terms; making clarifying changes; and generally relating to the licensure, inspection, and regulation of horse establishments by the Maryland Horse Industry Board.

BY repealing and reenacting, with amendments,

Article – Agriculture  
Section 2–701, 2–710, 2–711, 2–713, 2–714, 2–715, 2–718, 3–303, and 3–304  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 109 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board of Architects – Continuing Professional Competency**

FOR the purpose of repealing certain provisions of law relating to continuing education requirements for architects; requiring the State Board of Architects to adopt regulations to require a licensed architect to demonstrate continuing professional competency by completing a certain number of hours of professional development activities as a condition of renewal of a license; making conforming changes; and generally relating to the State Board of Architects and continuing professional competency requirements for licensed architects.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 3–309(c)(4), 3–309.2(c)(2), and 3–310(a)(4)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Business Occupations and Professions  
Section 3–309.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Business Occupations and Professions  
Section 3–309.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 110 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Administration – Young Driver Improvement Program –  
Parent and Guardian Attendance**

FOR the purpose of authorizing the Motor Vehicle Administration to require a parent, guardian, or other responsible adult cosigner of an application for a driver's license to attend a young driver improvement program with a certain minor offender under certain circumstances; and generally relating to parent and guardian attendance at young driver improvement programs.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–213  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 111 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Identification Cards and Drivers' Licenses – Period of Validity**

FOR the purpose of increasing the maximum period of time during which an identification card issued to an applicant under a certain age may be valid; increasing the maximum period of time during which a driver's license issued to a driver at least a certain age may be valid; making conforming changes; and generally relating to the period of validity for identification cards and drivers' licenses.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–301(i) and 16–115(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 112 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Appraisal Requirement**

FOR the purpose of altering the number of appraisals required for the termination of an easement approved by the Maryland Agricultural Land Preservation

Foundation; requiring that land subject to the termination of an easement shall be appraised as of a certain date; requiring the Department of General Services to review the appraisals, make a certain determination, issue a certain statement to the Foundation, and issue a certain notification to the landowner; and generally relating to the requirements for the termination of an easement under the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–514  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 113 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Weights and Measures – Registration Fees**

FOR the purpose of altering the fees and the cap on certain fees for registering certain scales and meters; and generally relating to registration fees for weights and measures.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 11–204.7  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 114 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Controlled Hazardous Substance Driver Certification –  
Elimination**

FOR the purpose of repealing a requirement that the Department of the Environment certify certain drivers of controlled hazardous substance vehicles; repealing a requirement that certain drivers of controlled hazardous substance vehicles

carry a certain certificate; repealing requirements that certain drivers submit certain evidence and pay a certain fee; altering a certain definition; repealing a certain definition; and generally relating to the elimination of controlled hazardous substance driver certificates.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 7–201, 7–249, 7–253, and 7–257  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 7–252  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 240 of the Acts of the General Assembly of 1982)

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

**Senate Bill 115 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Waterworks and Wastewater Works Certified Operators**

FOR the purpose of authorizing certain waterworks, wastewater works, and industrial wastewater works to be under the supervision of a certified operator instead of a certified superintendent under certain circumstances; and generally relating to the supervision of a waterworks, a wastewater works, and an industrial wastewater works.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 12–402 and 12–501  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 116 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Weight and Load Requirements – Vehicles Carrying  
Perishable Products**

FOR the purpose of altering the circumstances under which a police officer is required to allow an overweight vehicle carrying perishable products as its only load to proceed to its destination; providing that an overweight vehicle carrying perishable products as its only load shall be allowed to proceed to its destination if it is the first perishable load overweight violation by the motor carrier following a certain period of time without a certain violation and the overweight does not exceed a certain amount; making technical and stylistic changes; and generally relating to weight and load requirements for vehicles carrying perishable products.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11–134.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 24–111.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 117 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Water Appropriation Permits – Construction Dewatering  
Projects**

FOR the purpose of authorizing the Department of the Environment to waive the notice and hearing requirements for water appropriation or use permit applications for construction dewatering projects; making certain stylistic changes; and generally relating to water appropriation or use permits for construction dewatering projects.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 5–506  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 118 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Voluntary Agricultural Nutrient and Sediment Credit Certification Program**

FOR the purpose of authorizing the State Department of Agriculture to establish requirements for the voluntary certification and registration of sediment credits on agricultural land under the Voluntary Agricultural Nutrient Credit Certification Program; clarifying the authority of the Department of the Environment to establish eligibility and other requirements for use of sediment offset credits under any State or federal permit or other regulatory program; altering the intent of the General Assembly; and generally relating to the establishment of voluntary agricultural sediment credit certification and registration requirements.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 8–901, 8–902, and 8–904 to be under the amended subtitle “Subtitle 9.  
Voluntary Agricultural Nutrient and Sediment Credit Certification  
Program”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 8–903

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Chapter 447 of the Acts of the General Assembly of 2010

Section 2

BY repealing and reenacting, with amendments,

Chapter 447 of the Acts of the General Assembly of 2010

Section 3

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

**Senate Bill 119 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Higher Education Commission)**

AN ACT concerning

**State Personnel and Pensions – Optional Retirement Program – Maryland  
Higher Education Commission**

FOR the purpose of clarifying the eligibility of certain employees of the Maryland Higher Education Commission to participate in the Optional Retirement Program; providing for the application of this Act; and generally relating to the Maryland Higher Education Commission and the Optional Retirement Program.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 30–301(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 120 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Comptroller)**

AN ACT concerning

**Tobacco Products – Tobacco Tax – Exemptions and Penalties**

FOR the purpose of altering certain exemptions from the tobacco tax for cigarettes and other tobacco products brought into the State by certain consumers; establishing certain mandatory fines for first and subsequent violations for a person who willfully ships, imports, sells into or within, or transports within the State cigarettes or other tobacco products on which the tobacco tax has not been paid; establishing additional penalties of terms of imprisonment for first and subsequent violations for a person who willfully ships, imports, sells into or within, or transports within the State cigarettes or other tobacco products on which the tobacco tax has not been paid; and generally relating to the tobacco tax on cigarettes and other tobacco products.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 12–104 and 13–1015  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 121 – Chair, Finance Committee (By Request – Departmental – Maryland 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  
(2011 Replacement Volume)

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, Chapter 558 of the Acts of the General Assembly of 2008, and Chapter 119 of the Acts of the General Assembly of 2010  
Section 13

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

**Senate Bill 122 – Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Courts and Judicial Proceedings – Crime Victims and Witnesses Funds – Court Costs**

FOR the purpose of increasing certain costs imposed by a circuit court and the District Court for certain crimes and offenses; and generally relating to costs in criminal cases.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–409  
Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 123 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Assessments and Taxation)**

AN ACT concerning

**Real Property – Purchase of Residential Property by Secured Party – Notice  
to Local Supervisor of Assessments**

FOR the purpose of requiring certain persons to provide a copy of a certain court order within a certain period of time to the local supervisor of assessments under certain circumstances; establishing joint liability for certain exemptions or credits and certain interest until the court order is received; providing for the application of this Act; making stylistic changes; and generally relating to the purchase of residential property by a secured party.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 7–105.5  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 124 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicles – Eligibility for Driver’s License Test**

FOR the purpose of reducing the period of time that certain individuals at least a certain age who hold a learner’s instructional permit are required to wait before taking certain examinations for a provisional driver’s license under certain circumstances; reducing the driving practice requirements that an individual at least a certain age is required to meet before taking certain examinations for a provisional driver’s license; establishing certain additional requirements related to driver training for an individual who does not pass certain examinations for a provisional driver’s license after making a certain number of attempts; expanding the authority of the Motor Vehicle Administration to renew a driver’s license without requiring a driving test by authorizing renewal for an applicant who held a valid driving privilege within a certain period of time; making stylistic and conforming changes; and generally relating to eligibility for driver’s license tests.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–105(d), 16–111, and 16–115(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 125 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Public Transit Vehicles – Right-of-Way**

FOR the purpose of requiring the driver of a motor vehicle to yield the right-of-way to a public transit vehicle under certain circumstances; requiring transit agencies in the State to conduct certain public information campaigns; defining a certain term; and generally relating to the right-of-way for public transit vehicles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–101(p)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–101(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 21–101(y) and 21–406  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–101(y) and (z)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 126 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Department of Natural Resources – Maryland Land Preservation and  
Recreation Plan**

FOR the purpose of establishing a minimum time frame for preparation and revision of the Maryland Land Preservation and Recreation Plan; requiring consultation with local governments when preparing the Plan; and generally relating to the Maryland Land Preservation and Recreation Plan.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–906(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 127 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Marine Gathering Permit – Establishment**

FOR the purpose of prohibiting a person from sponsoring or holding a marine gathering without obtaining a permit from the Department of Natural Resources; requiring an organizer or sponsor of a marine gathering to submit a permit application and pay a certain permit fee to the Department within a certain time period; requiring the Department to adopt certain regulations governing marine gathering permits; requiring the Department to notify the local law enforcement unit of the county in which the marine gathering will occur before issuing a permit; establishing certain civil and criminal penalties for a violation of this Act; defining a certain term; and generally relating to the establishment of the marine gathering permit.

BY adding to  
Article – Natural Resources  
Section 8–725.7  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 128 – Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Abandoned Land – Certificates of Reservation for Public Use**

FOR the purpose of repealing the termination date for certain provisions of the Real Property Article relating to the definition of “abandoned land” and obtaining certificates of reservation of land for public use; and generally relating to certificates of reservation of land for public use and abandoned land.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 13–101  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 92 of the Acts of the General Assembly of 2007  
Section 2

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

**Senate Bill 129 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Easements**

FOR the purpose of repealing certain obsolete language relating to agricultural districts and agricultural land preservation easements; requiring certain applicants to include certain information in certain applications; altering certain notice requirements; clarifying the process and requirements for the application, approval, and acquisition of agricultural preservation easements; repealing certain deadlines; authorizing the Maryland Agricultural Land Preservation Foundation to assign certain district agreements to the governing body of a county under certain circumstances; making stylistic changes; and generally relating to agricultural land preservation easements purchased by the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, with amendments,  
Article – Agriculture

Section 2–509, 2–510, 2–513(b)(8), and 2–513.1(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Chapter 650 of the Acts of the General Assembly of 2007  
Section 2 and 3

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

### INTRODUCTION OF BILLS

#### **Senate Bill 130 – Senators Ferguson and Gladden**

AN ACT concerning

#### **Baltimore City – Nuisance Abatement and Local Code Enforcement – Community Associations**

FOR the purpose of altering the definition of “community association” under certain provisions of law relating to the standing of certain community associations in Baltimore City to seek judicial relief for abatement of certain nuisances; altering the definition of “nuisance” to repeal a certain requirement that a local code violation must diminish the value of neighboring property; prohibiting a community association from filing an action if the community association receives certain information from a certain department regarding an active code enforcement plan; repealing a certain requirement that a community association must file a bond with the court before seeking nuisance abatement; repealing a certain provision that a community association may not be construed to have standing to pursue a nuisance action concerning a vacant dwelling that is boarded up, free from trash and debris, and secure against entry; and generally relating to the right of community associations in Baltimore City to seek judicial abatement of certain nuisances.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–123  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 131 – Senators Middleton, Astle, Colburn, Dyson, Edwards,  
Garagiola, Kasemeyer, Mathias, McFadden, Peters, Pugh, Robey, and  
Rosapepe**

AN ACT concerning

**Criminal Procedure – Warrantless Arrests – Theft Crimes**

FOR the purpose of expanding the authority of a police officer without a warrant to arrest a person suspected of committing a certain theft crime; and generally relating to warrantless arrests.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 7–104(g) and 7–105  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 2–203(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 2–203(b)(4)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 132 – Senator Conway**

AN ACT concerning

**Health Occupations – State Board of Pharmacy – Jurisdiction Over  
Nonresident Pharmacies**

FOR the purpose of specifying the laws or regulations that apply to a nonresident pharmacy if there is a conflict with the provisions of a certain law of this State; requiring a nonresident pharmacy to comply with certain laws when dispensing prescription drugs or prescription devices to a patient in this State or otherwise engaging in the practice of pharmacy in this State; requiring that certain toll-free telephone service provided by a nonresident pharmacy facilitate communication between patients in this State and a pharmacist who is licensed in this State; repealing a certain requirement relating to confidentiality of prescription records; repealing certain limitations on the authority of the State Board of Pharmacy to impose certain fines or take certain disciplinary action against a nonresident pharmacy; clarifying the inspection requirements

applicable to a pharmacy in this State and a nonresident pharmacy; requiring a nonresident pharmacy to submit a copy of a certain inspection report on application for and renewal of a pharmacy permit in this State; and generally relating to pharmacy permit requirements for nonresident pharmacies.

BY repealing

Article – Health Occupations  
Section 12–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations  
Section 12–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations  
Section 12–403(d), (e), and (g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 12–403(f), 12–409, and 12–604  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 133 – Senator Conway**

AN ACT concerning

**State Board of Pharmacy – Wholesale Distributor Permits – Application Requirements**

FOR the purpose of altering the information required to be included in an application for a wholesale distributor permit; limiting a requirement that the State Board of Pharmacy or its designee conduct a certain inspection to apply only to applicants that hold prescription drugs or devices; altering certain requirements for a criminal history records check of a designated representative and the supervisor of a designated representative of an applicant; and generally relating to application requirements for a wholesale distributor permit issued by the State Board of Pharmacy.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 12–6C–05(a), (c), and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–6C–05(b) and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Health Occupations  
Section 12–6C–05(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health Occupations  
Section 12–6C–05(e) and 12–6C–05.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 134 – Senator Conway**

AN ACT concerning

#### **State Real Estate Commission – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Real Estate Commission in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to certain statutory and regulatory authority of the Commission; requiring the Commission to include certain information in its annual report to the Secretary of Labor, Licensing, and Regulation; increasing the amount that a person may recover for each claim against the Real Estate Guaranty Fund; requiring the licensee to submit notice of the change, certain documentation, and a certain fee to the Commission if the address of the affiliated brokerage of a licensed associate real estate broker or a licensed real estate salesperson changes; increasing a certain fee for collection of a dishonored check; requiring the Commission to submit a certain report on or before a certain date; and generally relating to the State Real Estate Commission.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 17–210, 17–404(b), 17–520, 17–521(a), and 17–702  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(60)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 135 – Senators Gladden and Frosh**

AN ACT concerning

#### **Ground Leases – Registration – Failure to Register**

FOR the purpose of prohibiting a ground lease holder from collecting certain ground rent payments, bringing a certain action, or obtaining a certain lien unless the ground lease is registered with the State Department of Assessments and Taxation and the ground lease holder has mailed a certain bill to certain addresses; altering the required contents of certain notices; repealing a certain deadline for registering a ground lease with the Department; repealing certain provisions of law relating to the extinguishment of the reversionary interest of a ground lease holder for failure to register the ground lease before a certain date; making certain conforming changes; establishing that certain ground lease extinguishment certificates are void and have no effect; and generally relating to ground leases.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 3–102(a), 8–402.3(d) and (e)(3), 8–704, 8–705, 8–709, 8–710, 8–711, and  
14–116.1(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 8–402.3(c) and (e)(1), and 8–703  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Real Property  
Section 8–707, 8–708, and 14–116.1(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 8–707 and 14–116.1(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 136 – Senator Zirkin**

AN ACT concerning

**Commercial Law – Consumer Contracts – Payment of Legal Fees**

FOR the purpose of authorizing a consumer contract to contain a provision for the payment of legal fees by the losing party in a certain legal action only if the provision is equally applicable to both parties to the contract; defining a certain term; providing for the application of this Act; and generally relating to provisions for the payment of legal fees in consumer contracts.

BY adding to  
Article – Commercial Law  
Section 14–1324  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 137 – Senator Zirkin**

AN ACT concerning

**Commercial Law – Contract Provisions – Payment of Legal Fees**

FOR the purpose of authorizing a contract to contain a provision for the payment of legal fees by the losing party in a certain legal action only if the provision is equally applicable to both parties to the contract; providing for the application of this Act; and generally relating to provisions for the payment of legal fees in contracts.

BY adding to

Article – Commercial Law

Section 24–101 to be under the new title “Title 24. Contract Provisions – Payment of Legal Fees”

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 138 – Senators Young, Colburn, Forehand, Klausmeier, Mathias, Montgomery, and Robey**

AN ACT concerning

**Income Tax – Subtraction Modification – Segal AmeriCorps Education Award**

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain education awards from the AmeriCorps program; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain education awards.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 10–207(y)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 139 – Senators Jacobs, Stone, Colburn, Currie, Edwards, and Reilly**

AN ACT concerning

**Crimes – Death or Disappearance of Minor – Required Reporting and  
Prohibited Acts  
 (“Caylee’s Law”)**

FOR the purpose of requiring a parent or other person who has permanent care or custody or responsibility for the supervision of a minor to notify, under certain circumstances and within certain periods of time depending on the age of the minor, the appropriate law enforcement agency that the minor is missing; requiring a parent or other person who has permanent care or custody or responsibility for the supervision of a minor to notify, within a certain period of time, an appropriate law enforcement agency or medical authority that the minor has died; prohibiting a parent or other person who has permanent care or custody or responsibility for the supervision of a minor who has died from knowingly engaging in certain conduct; establishing certain penalties for a violation of this Act; and generally relating to conduct following the death or disappearance of a minor.

BY adding to

Article – Criminal Law  
Section 3–608 through 3–610  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 140 – Senators Jacobs, Currie, Glassman, McFadden, Reilly,  
Stone, and Young**

AN ACT concerning

**Crimes – Child Abuse and Neglect – Failure to Report**

FOR the purpose of establishing that certain persons who are required to provide certain notice or make certain reports of suspected child abuse or neglect may not knowingly fail to give the notice or make the report; establishing the misdemeanor of the knowing failure to report child abuse or neglect; providing certain penalties for a violation of this Act; and generally relating to child abuse and neglect.

BY adding to

Article – Criminal Law  
Section 3–602.2  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law

Section 5–704 and 5–705  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 141 – (Chair, Judicial Proceedings Committee) (By Request –  
Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Criminal Procedure – Criminal Justice Information System  
Central Repository – Reporting Data**

FOR the purpose of repealing the requirement that a criminal justice unit report a certain reportable event within a certain time period; and generally relating to the Criminal Justice Information System.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 10–214(a) and (c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 10–214(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 142 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Secretary of Agriculture – Farm Food Safety**

FOR the purpose of authorizing the Secretary of Agriculture to establish a farm quarantine for a certain purpose on a farm that is infected or infested with a pathogen; authorizing the Secretary to examine certain practices in accordance with certain standards; authorizing the Secretary to designate a certain person to conduct an inspection of certain practices; authorizing the Secretary to accept certain assistance from certain federal agencies; requiring the Secretary to deny access to certain information subject to a certain exception; authorizing the Secretary to revoke or suspend a certain certificate under certain

circumstances; making a clarifying change; altering a certain definition; and generally relating to the Secretary's authority to establish a farm quarantine and examine, inspect, and certify farm products.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–103.1, 10–601, 10–602, and 10–603  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Agriculture  
Section 10–607 and 10–608  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 143 – 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 of education is required to submit a certain master plan and certain updates to the plan; and generally relating to comprehensive master plans and updates to master plans submitted by local boards of education.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–401(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–401(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 144 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – Occupational and  
Professional Licensing – Licensees on Military Deployment**

FOR the purpose of authorizing a unit in the Department of Labor, Licensing, and Regulation to allow certain holders of certain occupational and professional licenses to renew an expired license without penalty under certain circumstances and to complete certain continuing education or competency requirements within a reasonable time after license renewal; and generally relating to occupational and professional licenses and the Department of Labor, Licensing, and Regulation.

BY adding to

Article – Business Regulation

Section 2–111

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 145 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Real Estate Commission – Continuing Education – Documentation**

FOR the purpose of authorizing entities conducting certain continuing education courses for real estate licensees, instead of providing a certain certificate of completion to the licensee, to submit course completion information to the State Real Estate Commission by electronic means; authorizing the Commission, on or after a certain date, to require entities conducting certain continuing education courses to submit course completion information to the Commission by electronic means; and generally relating to continuing education requirements for real estate licensees and the State Real Estate Commission.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 17–315

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 146 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Ethics Commission, State)**

AN ACT concerning

**Public Ethics – Financial Disclosure Statements – Mutual Funds**

FOR the purpose of excluding certain interests in certain mutual funds from the interests in corporations, partnerships, and limited liability partnerships and companies that must be disclosed on an annual financial disclosure statement under the Maryland Public Ethics Law; and generally relating to disclosure requirements under the public ethics law.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–607(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–607(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 147 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Ethics Commission, State)**

AN ACT concerning

**State Government – Administrative Procedure Act – Changes to Previously  
Published Proposed Regulations**

FOR the purpose of requiring the Administrator of State Documents to refuse to publish a notice of adoption of a regulation that differs from text previously published unless the unit counsel of the Maryland Commission on Civil Rights, the Public Service Commission, or the State Ethics Commission provides a

certain certification; defining a certain term; and generally relating to the Administrative Procedure Act and the publication of proposed regulations.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–107  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–113  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 148 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Lot Release**

FOR the purpose of altering certain conditions that must be met before the Maryland Agricultural Land Preservation Foundation is required to release certain lots under a certain program; providing for the application of this Act; and generally relating to the Maryland Agricultural Land Preservation Foundation.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 2–513(a) and (b)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–513(b)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 149 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Veterans Affairs)**

AN ACT concerning

**State Government – Maryland Veterans Commission – Membership**

FOR the purpose of adding a representative who is a veteran of certain conflicts to serve on the Maryland Veterans Commission; removing a member of a certain organization from the Maryland Veterans Commission; and generally relating to the Maryland Veterans Commission.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–916  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–917  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 150 – The President (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2013)**

AN ACT for the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2012, in accordance with Article III, Section 52 of the Maryland Constitution; and generally relating to appropriations and budgetary provisions made pursuant to that section.

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

**Senate Bill 151 – The President (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2012, and the Maryland Consolidated Capital Bond Loans of 2005, 2006, 2007, 2008, 2009, 2010, and 2011**

FOR the purpose of authorizing the creation of a State Debt in the amount of One Billion, One Hundred and Twelve Million, Eight Hundred and Eighty Thousand (\$1,112,880,000), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the 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 2013, the proceeds to be used for certain purposes; authorizing the creation of State Debt to be known as a Maryland Consolidated Preauthorization Act, to be issued in 2014, the proceeds to be used for certain purposes; authorizing the creation of State Debt to be known as a Maryland Consolidated Preauthorization Act, to be issued in 2015, 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; providing that the proceeds of certain loans must be expended or encumbered by a certain date; requiring certain grantees to submit certain reports; 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 under certain circumstances; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization acts; 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 445 of the Acts of the General Assembly of 2005

Section 1(3) Item MA01(A), Item RM00(B) and (F), Item UB00(A)(1), (4), and (5), and Item ZB02(B)

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, Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, and Chapter 396 of the Acts of the General Assembly of 2011

Section 1(1)

- BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 488 of the Acts of the General Assembly of 2007 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, as amended by Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item RE01(A)
- BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item DE02.01(C) and Item RB29(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, Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, and Chapter 396 of the Acts of the General Assembly 2011  
Section 1(1)
- 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 372 of the Acts of the General Assembly of 2010  
Section 12(3) RB27(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, Chapter 485 of the Acts of the General Assembly of 2009, and Chapter 483 of the Acts of the General Assembly of 2010  
Section 12(1) and (3) Item ML10(A)
- BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item DA02.01(A), Item DE02.01(E) and (H), Item RB27(D), and Item RB34(A)
- 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, Chapter 483 of the Acts of the General Assembly of 2010, and Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item RE01(C), Item UB00(A), and Item ZA00(Q)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item RE01(B)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 483 of the Acts of the General Assembly of 2010 and Chapter 396  
of the Acts of the General Assembly of 2011  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA02(G) and Item ZA03(F)

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item KA05(C)(2), ZA00(N), and Item ZA01(C) and 12(3) Item  
RB23(B)

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010, as amended by  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(1) and (3) Item QP00(A)

BY repealing and reenacting, with amendments,  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(1) and (3) Item DE02.01(B), Item SA24(B), and Item ZA00(M)

BY repealing  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 12, 13, and 14

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

**Senate Bill 152 – The President (By Request – Administration)**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2012**

FOR the purpose of altering or repealing certain required appropriations; altering the distribution of certain revenues; altering or repealing certain funding requirements; altering the authorized use of certain funds; authorizing the transfer of certain funds; 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 Web site relating to the abandoned property database; requiring the Comptroller to publish certain notices of a certain Internet Web site; altering certain categories required to be included in certain annual budgets of county boards of education; prohibiting a county council or board of county commissioners from reducing a certain budget amount for a county board of education; authorizing the State to deduct a certain amount under certain circumstances from certain State funds that would otherwise be paid to certain county boards of education; providing a certain exception to a certain requirement that certain money is to be included in the budget bill; altering certain State education funding for certain fiscal years; altering certain fees; establishing the Developmental Disabilities Trust Fund as a special fund to be used for certain purposes; providing for a certain assessment on certain day care centers; repealing a requirement for a certain payment to certain nursing facilities under certain circumstances; altering a certain authority for the Health Services Cost Review Commission to adopt certain regulations under certain circumstances; requiring a certain nonprofit health service plan to provide a certain subsidy; altering the percentage of the amount that may be assessed in the aggregate on certain nursing facilities; altering certain commissions for certain licensed agents; requiring counties to pay a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the Board of Trustees for the State Retirement and Pension System to establish a certain local contribution rate in a certain manner for certain fiscal years; providing for the manner of payment by certain counties for certain employer contributions; requiring certain counties to make certain payments of certain employer contributions in certain fiscal years; requiring the Comptroller to exercise the right of setoff against any money due or becoming due under certain circumstances; altering the time period during which a certain education index adjustment is to be updated; altering certain criteria and methodology to be used in updating a certain education index adjustment; altering a certain exemption from certain income taxes for certain individuals and married couples under certain circumstances; altering a certain reduction for a certain individual who elects to itemize certain deductions under certain circumstances; providing that the sales and use tax applies to the sale or use of certain digital products; providing that for purposes of certain provisions of the sales and use tax law certain persons shall be presumed under certain circumstances to have an agent, canvasser, representative, salesman, independent contractor, or solicitor operating in the State for certain purposes; providing that a certain presumption may be rebutted by certain proof; altering a certain tax rate for

certain tobacco products; providing that, for purposes of the recordation tax, secured debt with respect to certain mortgages, deeds of trust, and other security interests in real property securing a guarantee of repayment of a loan for a certain amount is deemed to be incurred as debt is incurred on the guaranteed loan and, with respect to those mortgages, deeds of trust, and other security interests, the recordation tax applies in a certain manner; repealing a certain exemption to the sales and use tax for precious metal bullion or coins; repealing a certain exemption to the sales and use tax for certain sales of manufactured homes; repealing a certain exemption to the sales and use tax for certain sales in the form of a demurrage charge; repealing certain credits allowed against certain taxes for the purchase of Maryland-mined coal; repealing a certain modification for purposes of determining Maryland taxable income for certain public utilities; repealing a certain credit against the State income tax for certain public utilities; repealing certain provisions relating to payment of overpayment of retirement contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the Health Services Cost Review Commission to approve certain remittances to support the general operations of the Medicaid program; authorizing a certain reduction to the remittances; defining certain terms; altering certain definitions; providing for the application and construction of certain provisions of this Act; making the provisions of this Act severable; and generally relating to the financing of State government.

BY repealing

Article – Commercial Law  
Section 17–311(a), (b), and (c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY adding to

Article – Commercial Law  
Section 17–311(a), (b), and (c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 10–523(3)(i)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education  
Section 5–101(b)(4), 5–103(c), 5–206(f)(2), 16–305(c)(1)(i), 16–512(a)(1), and  
17–104(a)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 5–202(j), 16–305(c)(1)(iv), 16–512(a)(4), and 17–104(a)(3)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 7–604(b) and (h) and 9–1707(f)(6)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1707(f)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Financial Institutions

Section 13–1114(g)(3)(iv)

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–217(c)(1), 15–117(b) and (c), 19–214(b) and (c), and 19–310.1(b)(2)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General

Section 7–207, 14–207, and 14–305

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–106(d), 14–106.1, and 14–504(e)

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–117(a)(1), 9–1604(b)(1)(vi), and 12–203

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–304(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 21–309.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Tax – General  
Section 2–608(c), (d), (e), and (f), 8–406(b), 10–306(c), 10–704.1, 10–708, 11–202,  
11–213, and 11–214.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–118(e)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 500 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, with amendments,  
Chapter 2 of the Acts of the General Assembly of the Special Session of 2007  
Section 13(a)

BY repealing and reenacting, with amendments,  
Chapter 397 of the Acts of the General Assembly of 2011  
Section 11

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1104(b), 10–211(b), 10–218(b), 11–101, 11–102(a), 11–217(b),  
11–701(b) and 12–105(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 11–221(d) and 11–701.1  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – Property

Section 12–105(f)(7)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing

Article – Education

Section 5–203

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

### SPECIAL ORDERS

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

**Senate Rule 116.** Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

- (1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and
- (2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

Senate Rule 116 was read and adopted by roll call vote as follows:

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

### QUORUM CALL

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

(See Roll Call No. 48)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #1**

**Senate Bill 41 – ~~Senator Colburn~~ Senators Colburn, Pipkin, and Mathias**

AN ACT concerning

**Caroline County, Dorchester County, Talbot County, and Wicomico County –  
Prospective Employees and Volunteers – Criminal History Records Check**

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

Affirmative – 47    Negative – 0    (See Roll Call No. 49)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 50)

**ADJOURNMENT**

At 10:37 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 19, 2012, in memory of Airman First Class Matthew Seidler.

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**Annapolis, Maryland**  
**Thursday, January 19, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:22 A.M.

Prayer by Rabbi Ari Israel, Director, Hillel of the University of Maryland, guest of Senator Manno.

(See Exhibit A of Appendix III)

The Journal of January 18, 2012 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 55)

**INTRODUCTION OF BILLS**

**Senate Bill 153 – The President (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Qualified Zone Academy Bonds**

FOR the purpose of the purpose of authorizing the creation of a State Debt in the amount of \$15,324,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required matching fund; providing that, after a certain date, any bonds authorized under this Act shall be canceled and be of no further effect; providing that the proceeds of the loan under this Act shall be expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund;

providing generally for the issuance and sale of bonds evidencing the loan; and generally relating to Qualified Zone Academy Bonds.

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

**Senate Bill 154 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Roland Water Tower Stabilization**

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

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

**Senate Bill 155 – Senators Pugh, Conway, Jones–Rodwell, and McFadden**

AN ACT concerning

**Video Lottery Facility Location Commission – Financial Impact of Additional Games – Study**

FOR the purpose of requiring the Video Lottery Facility Location Commission to conduct a certain study to assess the financial impact of offering certain games in video lottery facilities; requiring the Commission to report to the General Assembly on or before a certain date; and generally relating to video lottery facilities.

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

**Senate Bill 156 – Senators Pugh, Conway, Garagiola, Jones–Rodwell, Middleton, and Stone**

AN ACT concerning

**Minority Business Enterprises – Not for Profit Entities and Termination Extension**

FOR the purpose of providing that a not for profit entity organized to promote the interests of physically or mentally disabled individuals is included in a certain definition of minority business enterprise only if the annual operating budget of

the not for profit entity does not exceed a certain amount and the majority of the individuals on the board of directors or other governing body of the not for profit entity are socially and economically disadvantaged individuals; continuing until a certain date certain provisions of the State procurement law relating to procurement from minority businesses; requiring a certain study and a final report on the study by a certain date; providing for the effective dates of this Act; and generally relating to minority business enterprise participation in State procurement.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–301 and 14–309  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 116 of the Acts of the General Assembly of 1995, as amended by  
Chapters 495 and 496 of the Acts of the General Assembly of 2000,  
Chapter 339 of the Acts of the General Assembly of 2001, and Chapter  
359 of the Acts of the General Assembly of 2006  
Section 2

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

**Senate Bill 157 – Senators Pugh, Conway, Jones–Rodwell, and McFadden**

AN ACT concerning

**Baltimore City – Age for Compulsory Public School Attendance – Exemption**

FOR the purpose of altering, in Baltimore City, the age at which certain children are required to attend a public school regularly during the entire school year, subject to certain exceptions; requiring certain parents or guardians of certain children to provide written consent before the children may withdraw from public school attendance; requiring certain school officials to provide a certain notification under certain circumstances; requiring certain persons with legal custody or care and control of certain children to see that the children attend school, receive instruction, or have written consent to withdraw from public school attendance; providing for certain penalties for certain persons; and generally relating to the age for compulsory public school attendance in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–301(a)(1)  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 7–301.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 158 – Senators Pugh, Conway, Jones–Rodwell, McFadden, and Middleton**

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 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 Budget and Taxation.

**Senate Bill 159 – Senator Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Quebec Terrace Lighting**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$120,000, the proceeds to be used as a grant to the Board of Trustees of ArtPreneurs, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 160 – Senators Brochin, Colburn, Kittleman, and Raskin**

AN ACT concerning

**General Assembly – Legislative Districting – Process**

FOR the purpose of providing a process for establishing legislative districts for the election of members of the Maryland General Assembly; directing a certain commission to hold certain public meetings at certain times for a certain purpose; providing for public notice of the meetings, the time periods within which the meetings must be held, and the general procedures to be used in conducting the public meetings; providing that certain districting maps must be made available to the public in certain ways and at certain times; directing the Executive Director of the Department of Legislative Services to oversee the districting process; providing for certain duties of the Executive Director; providing that employees of the Department may not discuss certain information about any redistricting plans with certain persons; defining certain terms; making this Act contingent on the passage and ratification of a certain constitutional amendment; and generally relating to a process for establishing legislative districts in Maryland.

BY adding to

Article – State Government

Section 2–2B–01 through 2–2B–03 to be under the new subtitle “Subtitle 2B.  
Legislative Districting Process”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 161 – Senators Brochin, Colburn, and Kittleman****CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**General Assembly – Legislative Districting**

FOR the purpose of amending the Maryland Constitution to provide a process for the establishment of legislative districts for the electing of members of the Maryland General Assembly; establishing criteria to be used in creating legislative districts; directing the staff agency of the General Assembly to prepare certain legislative districting plans at certain times; directing that public hearings be held at certain times for certain purposes; directing the staff agency to hold certain hearings; establishing the process by which the General Assembly shall consider and act on legislative districting legislation; providing

for the creation of a temporary redistricting advisory commission; providing for the membership of the commission and the qualifications of its members; providing for the functions of the temporary redistricting advisory commission; generally relating to the establishment of districts for the election of members of the Maryland General Assembly; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 4 and 5

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 5A

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

### **Senate Bill 162 – Senators Brochin, Colburn, and Kittleman**

AN ACT concerning

#### **Congressional Districting Process**

FOR the purpose of providing a process for the establishment of congressional districts in Maryland for the electing of members of Congress; establishing criteria to be used in creating congressional districts; directing that public hearings be held at certain times for certain purposes; establishing the responsibilities of the Department of Legislative Services regarding congressional districting; directing the Department to hold certain hearings in accordance with specific criteria and to prepare certain congressional districting plans at certain times; establishing the process by which the General Assembly shall consider and act on congressional districting legislation in a regular or special session; directing when a special session is required for congressional districting; creating a temporary redistricting advisory commission; providing for the membership of the commission and the qualifications of its members; providing for the functions of the commission; and generally relating to the establishment of districts in Maryland for the election of members of Congress.

BY adding to  
Article – Election Law  
Section 8–6A–01 through 8–6A–07 to be under the new subtitle “Subtitle 6A.  
Congressional Districting Process”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 163 – Senators Conway and Pugh**

AN ACT concerning

**Health Insurance – Diabetes Treatment – Coverage for Orthotics**

FOR the purpose of requiring certain health insurers, nonprofit health service plans, and health maintenance organizations that provide certain coverage for certain equipment, supplies, and training that are necessary for the treatment of diabetes and certain elevated blood glucose levels to provide coverage for orthotics for the management of diabetic feet under certain circumstances; providing for the application of this Act; and generally relating to health insurance coverage for the treatment of diabetes.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–822

Annotated Code of Maryland

(2011 Replacement Volume)

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

**Senate Bill 164 – Senator Conway**

AN ACT concerning

**Maryland Plastic Bag Recycling Act**

FOR the purpose of authorizing certain fees to be deposited in the State Recycling Trust Fund; prohibiting a plastic carryout bag manufacturer from providing, selling, or offering for sale a plastic carryout bag for use or distribution in the State unless certain language is printed or displayed on the bag and the manufacturer has registered with the Department of the Environment in a certain manner; authorizing a plastic carryout bag manufacturer to fulfill certain requirements of this Act in a certain manner; requiring a plastic carryout bag manufacturer to register with the Department in a certain manner and on or before a certain date; establishing a plastic carryout bag manufacturer registration fee; requiring a plastic carryout bag manufacturer to develop and implement a certain plan in accordance with certain requirements; providing that each plastic carryout bag manufacturer is responsible for all costs associated with the development and implementation of its plan; requiring the Department to deposit certain fees in the State Recycling Trust Fund; requiring the Department, within a certain time period, to post on its Web site a certain plan and notice of a certain comment period; requiring the Department

to review a certain plan; authorizing the Department to comment on a certain plan; requiring a plastic carryout bag manufacturer to accept certain comments on a certain plan and to respond, revise, and resubmit the plan under certain circumstances; determining when a certain plan shall be considered final; requiring each plastic carryout bag manufacturer, on or before a certain date, to establish a certain educational program and develop and make available to retailers certain educational materials; beginning on a certain date, requiring each plastic carryout bag manufacturer to establish goals to include a certain percentage of recycled content in plastic carryout bags it manufactures for use or distribution in the State by a certain year; prohibiting a retailer, distributor, or wholesaler, beginning on a certain date, from purchasing plastic carryout bags from certain manufacturers; requiring the Department to maintain and post on its Web site, beginning on a certain date, certain lists; requiring a plastic carryout bag manufacturer to submit a certain annual report to the Department; providing that a county or municipality is not prohibited from adopting certain ordinances, resolutions, regulations, or rules under certain circumstances; establishing certain penalties for certain violations; providing for the recovery of the penalties in certain civil actions; requiring that certain civil penalties be deposited into a certain fund; requiring the Department to adopt certain regulations; defining certain terms; requiring the Secretary of the Environment to submit a certain report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the recycling of plastic carryout bags.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1701 and 9–1707(f)(2)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1707(f)(1)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Environment

Section 9–1733 through 9–1743 to be under the new part “Part V. Plastic Carryout Bag Recycling”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 165 – Senator Colburn**

## EMERGENCY BILL

AN ACT concerning

**Criminal Procedure – Office of the Public Defender – Representation**

FOR the purpose of establishing certain exceptions to a requirement that representation be provided by the Office of the Public Defender at all stages of certain proceedings; making this Act an emergency measure; and generally relating to representation by the Office of the Public Defender.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 16–204  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 166 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Charitable Gaming**

FOR the purpose of creating in Harford County a permit to be issued by the Sheriff of Harford County that authorizes certain nonprofit organizations to conduct a gaming contest in Harford County; specifying certain requirements that organizations must meet to be issued a permit; specifying a certain maximum number of gaming contests an organization may hold in a year and the location and hours for conducting a gaming contest; authorizing certain games to be conducted at a gaming contest 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 under certain circumstances; authorizing certain organizations to use certain proceeds for certain purposes after certain costs are deducted; 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 gaming contests in Harford County.

BY renumbering  
Article – Criminal Law  
Section 13–1512  
to be Section 13–1513

Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 13–1512  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 167 – Senator Currie**

AN ACT concerning

**Tax Credits for Qualifying Employees with Disabilities – Sunset Repeal**

FOR the purpose of repealing certain termination provisions and altering certain dates of applicability for certain tax credits allowed to employers that hire certain qualifying individuals with disabilities; and generally relating to certain tax credits allowed to employers that hire certain qualifying employees facing certain employment barriers.

BY repealing and reenacting, with amendments,  
Chapter 112 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, Chapter 252 of the Acts of the General Assembly of 2010, and Chapter 558 of the Acts of the General Assembly of 2011  
Section 4 and 6

BY repealing and reenacting, with amendments,  
Chapter 113 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, Chapter 252 of the Acts of the General Assembly of 2010, and Chapter 558 of the Acts of the General Assembly of 2011  
Section 4 and 6

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

### **QUORUM CALL**

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

(See Roll Call No. 56)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #2**

##### **Senate Bill 9 – Senator Forehand**

##### **EMERGENCY BILL**

AN ACT concerning

##### **Maryland Consolidated Capital Bond Loan of 2011 – Montgomery County – Mental Health Association HVAC Replacement**

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

Affirmative – 46    Negative – 0    (See Roll Call No. 57)

The Bill was then sent to the House of Delegates.

Welcome and remarks by Michael Oren, Ph.D., Israel’s Ambassador to the U.S.

### **QUORUM CALL**

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

(See Roll Call No. 58)

### **ADJOURNMENT**

At 10:53 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 20, 2012.

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**Annapolis, Maryland**  
**Friday, January 20, 2012**  
**11:00 A.M. Session**

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The Senate met at 11:07 A.M.

Prayer by Reverend Gary L. Moore, The Eastern District Superintendent of The United Methodist Church, guest of Senator Colburn.

(See Exhibit A of Appendix III)

The Journal of January 19, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Jones–Rodwell and Muse be excused from today’s session.

**QUORUM CALL**

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

(See Roll Call No. 60)

**INTRODUCTION OF BILLS**

**Senate Bill 168 – Senators Brochin, Forehand, Frosh, Jacobs, Ramirez,  
Raskin, and Stone**

AN ACT concerning

**Criminal Procedure – Victim’s Compensation – Temporary Lodging for  
Domestic Violence Victims**

FOR the purpose of making certain victims eligible for certain monetary awards for temporary lodging for a certain period from the Criminal Injuries Compensation Fund under certain circumstances; and generally relating to awards from the Criminal Injuries Compensation Fund.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–811  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 169 – Senator Shank**

AN ACT concerning

**State Government – Notary Public – Appointment**

FOR the purpose of authorizing a State Senator to delegate the Senator's authority to approve an applicant for notary public to the Secretary of State; authorizing the Governor to appoint and commission, under certain circumstances, an individual as a notary public on the approval of the Secretary; requiring a certain application, under certain circumstances, to bear or be accompanied by the written approval of the Secretary; and generally relating to the appointment of a notary public.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 18–101 and 18–103(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 170 – Senators Shank, Brinkley, Edwards, and Young**

AN ACT concerning

**Washington County – Sheriffs and Deputy Sheriffs – Practice of Law**

FOR the purpose of allowing an individual employed as a sheriff or deputy sheriff in Washington County who has been admitted to the Maryland Bar to practice law in a county other than Washington County; and generally relating to the practice of law by sheriffs and deputy sheriffs in Washington County.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 10–603  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 171 – Senator Miller**

AN ACT concerning

**Creation of a State Debt – Calvert County – North Beach Waterfront Pavilion**

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 Town Council of the Town of North 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 Budget and Taxation.

**Senate Bill 172 – Senator Miller**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – University of Maryland  
Athletic Fields**

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 University System of Maryland for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 173 – Senators Klausmeier, Benson, Montgomery, and Young**

AN ACT concerning

**Public School Buildings – Carbon Monoxide Detection and Warning  
Equipment**

FOR the purpose of requiring the construction or remodeling of certain public school buildings to conform to a certain standard for the installation of carbon monoxide detection and warning equipment for commercial structures; making certain stylistic changes; and generally relating to requiring the installation of carbon monoxide detection and warning equipment in public school buildings.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–117  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 174 – Senators Klausmeier, Kittleman, Middleton, and Muse**

AN ACT concerning

**Subsequent Injury Fund and Uninsured Employers' Fund – Assessments on Settlement Agreements**

FOR the purpose of excluding from the assessments imposed by the Workers' Compensation Commission and payable to the Subsequent Injury Fund and the Uninsured Employers' Fund the amount of certain medical benefits under a certain settlement agreement under certain circumstances; and generally relating to settlement agreements and assessments payable to the Subsequent Injury Fund and the Uninsured Employers' Fund.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–806 and 9–1007  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 175 – Senators Raskin, Forehand, Getty, Jacobs, Shank, and Stone**

AN ACT concerning

**Crimes – Electronic Communication – Harassment**

FOR the purpose of altering the prohibition against using electronic mail with the intent to harass to prohibit engaging in electronic communication with the intent to harass; altering a certain definition; establishing penalties for a second or subsequent violation of this Act; and generally relating to prohibitions of harassment.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–805  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 176 – Senator Robey**

AN ACT concerning

**Criminal Law – Impersonation of a Police Officer – Penalties**

FOR the purpose of altering the classification of the crime of impersonating certain police officers, special police officers, sheriffs, deputy sheriffs, constables, or certain other law enforcement officers wearing a certain police article without a certain authorization, or having a simulation or imitation of a certain police article under certain circumstances, from a misdemeanor to a felony and increasing the penalties for a violation of the offense; and generally relating to the crime of impersonating police officers, special police officers, sheriffs, deputy sheriffs, constables, or certain other law enforcement officers.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–502  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

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

**Senate Bill 177 – Senators Robey and Klausmeier**

AN ACT concerning

**Vehicle Laws – Nonfunctioning Traffic Control Signals – Requirement to Stop**

FOR the purpose of altering a certain provision of law requiring vehicular traffic to stop and take certain actions when approaching a nonfunctioning traffic control signal at certain intersections to apply the requirement to all intersections; requiring vehicular traffic approaching a nonfunctioning traffic control signal at an intersection to stop in a certain manner, yield to certain other vehicles or pedestrians, and remain stopped until it is safe to enter and continue through the intersection; clarifying certain language; and generally relating to nonfunctioning traffic control signals at intersections.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–101(a) and (l)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–209

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 178 – Senators Jacobs and Montgomery**

AN ACT concerning

**Education – Informal Kinship Care – Documentation Supporting Affidavit –  
Repeal**

FOR the purpose of repealing the requirement that certain supporting documentation accompany a certain affidavit verifying to a certain county superintendant of schools that a child is living in an informal kinship care arrangement for certain school attendance purposes; repealing a requirement that certain instructions explain the necessity of and encourage the submission of certain supporting documentation; and generally relating to the repeal of requirements for documentation supporting an affidavit of informal kinship care for educational purposes.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–101  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 179 – Senators Pugh, Raskin, Astle, Brochin, Currie, Ferguson, Forehand, Frosh, Gladden, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, Middleton, Montgomery, Peters, Pipkin, Ramirez, Robey, Rosapepe, Simonaire, Stone, and Zirkin**

AN ACT concerning

**Kathleen A. Mathias Chemotherapy Parity Act of 2012**

FOR the purpose of prohibiting insurers, nonprofit health service plans, and health maintenance organizations that provide coverage for cancer chemotherapy under certain policies or contracts 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; prohibiting the insurers, nonprofit health service plans, and health maintenance organizations from reclassifying cancer chemotherapy or increasing certain

out-of-pocket expenses to achieve certain compliance; prohibiting the insurers, nonprofit health service plans, and health maintenance organizations from increasing an out-of-pocket expense applied to cancer chemotherapy under a health insurance policy or contract or a health maintenance organization contract unless the increase also is applied to certain benefits under the policy or contract; 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 15–846  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to

Article – Health – General  
Section 19–706(III)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 180 – Senators Pugh, Benson, Forehand, King, Klausmeier, Madaleno, Manno, Middleton, Montgomery, Raskin, and Young**

AN ACT concerning

**Health Occupations – State Board of Naturopathic Medicine**

FOR the purpose of establishing the State Board of Naturopathic Medicine; specifying the composition of the Board; specifying the terms of a Board member; requiring the Governor to appoint a new member, under certain circumstances, if a vacancy on the Board occurs; authorizing the Governor to remove a member of the Board under certain circumstances; requiring the Board to elect a chair and any other officers from among its members; requiring the Board to make certain determinations relating to its officers; specifying that a majority of the members then serving on the Board is a quorum; requiring the Board to determine the times and places of its meetings; specifying that a Board member is entitled to certain compensation and reimbursement; authorizing the Board to employ a staff under certain circumstances; authorizing the Board to adopt certain regulations and appoint certain committees; specifying the duties of the Board; establishing the State Board of Naturopathic Medicine Fund; authorizing the Board to set reasonable fees under certain circumstances; requiring the Board to pay the fees to the Comptroller and requiring the Comptroller to distribute the fees to the Fund; requiring the Fund to be used for certain purposes;

specifying that the Fund is a continuing, nonlapsing fund, not subject to a certain provision of law; prohibiting unspent portions of the Fund from reverting to the General Fund; specifying that no other State money may be used to support the Fund, that a designee of the Board is to administer the Fund, and that money in the Fund may be used only for certain purposes; requiring the Legislative Auditor to audit the accounts and transactions of the Fund; specifying that a person who gives information to the Board or otherwise participates in its activities has a certain immunity from liability; requiring, beginning on a certain date, certain individuals to have a certain license before practicing naturopathic medicine in the State; prohibiting the Board from discriminating against an applicant or licensee for certain reasons; requiring an individual to meet certain requirements to qualify for a license; authorizing the Board to waive certain examination requirements under certain circumstances; requiring an applicant to submit certain information to the Board and pay a certain fee; requiring the Board to issue a license to any applicant who meets the requirements of this Act; specifying that a license authorizes a licensee to order certain tests, order and perform certain examinations, and dispense, administer, order, prescribe, or perform other certain therapies, drugs, and medicines, and utilize certain routes of administration; specifying that a license does not authorize a licensee to prescribe, dispense, or administer certain substances or devices, perform certain procedures, use certain anesthetics, or take certain other actions; specifying that the Board may authorize a licensee to perform only certain procedures or prescribe certain drugs under certain circumstances; specifying the term of a license; requiring the Board to send certain information to licensees a certain time period before a license expires; requiring the Board to renew a license under certain circumstances; authorizing the Board to place a licensee on inactive status under certain circumstances; requiring the Board to issue a license to a naturopathic physician who is on inactive status under certain circumstances; requiring the Board to reinstate the license of a naturopathic physician who failed to renew the license under certain circumstances; prohibiting a licensed naturopathic physician from surrendering a license under certain circumstances; establishing the Naturopathic Formulary Council; specifying the membership of the Council; requiring the Council to establish a naturopathic formulary, transmit the formulary to the Board, and review the formulary under certain circumstances; prohibiting the formulary from including certain medicines or drugs and devices under certain circumstances; prohibiting a naturopathic physician from dispensing, administering, or prescribing certain drugs and devices unless the drug or device is included in the formulary; authorizing the Board to take certain disciplinary action against an applicant or a licensee for certain reasons; requiring certain persons to file a certain report with the Board within a certain time period; authorizing the Board to assess a certain monetary penalty on a person that fails to file a certain report; requiring the Board to investigate certain complaints; authorizing the Board to commence disciplinary action under certain circumstances; specifying that certain investigations, reports, and recommendations are confidential under certain circumstances; requiring the Board to give a certain individual an opportunity for a hearing before the Board

and to give certain notice and hold the hearing in accordance with certain provisions of law; authorizing a certain individual to be represented by counsel; authorizing the Board to issue subpoenas and administer oaths under certain circumstances; authorizing a certain court to take certain action against an individual who disobeys a subpoena from the Board or an order by the Board; authorizing the Board to hear and determine a matter, under certain circumstances; requiring certain individuals to pay certain costs under certain circumstances; requiring the Board to pass an order under certain circumstances; requiring the Board to expunge certain charges after a certain time period; requiring the holder of a license to surrender the license to the Board under certain circumstances; requiring the Board to return a license under certain circumstances; authorizing a person aggrieved by a decision of the Board to take certain action under certain circumstances; prohibiting the Board from reinstating a certain license under certain circumstances; requiring a licensed naturopathic physician to follow certain federal, State, and local laws; authorizing a licensed naturopathic physician to receive a certain fee; requiring a naturopathic physician to display a certain notice under certain circumstances; prohibiting an individual from practicing naturopathic medicine in the State without a license; prohibiting certain individuals from making certain representations to the public, using certain titles, and using certain initials; establishing a certain short title; specifying that this Act does not limit certain rights of certain individuals; specifying the purposes of certain provisions of this Act; requiring the Board to hold its first Board meeting within a certain time period after the Governor has appointed the initial Board members; providing for the terms of the initial Board members; stating the intent of the General Assembly regarding the initial funding of the Board; requiring the Board to reimburse the General Fund under certain circumstances; providing for the termination of this Act under certain circumstances; defining certain terms; and generally relating to the State Board of Naturopathic Medicine and the licensing of naturopathic physicians.

BY renumbering

Article – State Government

Section 8–403(b)(40) through (68), respectively

to be Section 8–403(b)(41) through (69), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 7.5–101 through 7.5–802 to be under the new title “Title 7.5.  
Naturopathic Physicians”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 5–722  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 8–403(b)(40)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 181 – Senator Raskin**

AN ACT concerning

#### **Task Force to Study the Public Financing of Judicial Elections**

FOR the purpose of establishing the Task Force to Study the Public Financing of Judicial Elections; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and develop a proposal regarding certain matters; requiring the Task Force to report its findings and proposal to 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 Public Financing of Judicial Elections.

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

### **Senate Bill 182 – Senators Ferguson and Gladden**

AN ACT concerning

#### **Tax Sales – Complaint to Foreclose Right of Redemption – Notice**

FOR the purpose of prohibiting a holder of a certificate of tax sale from filing a complaint to foreclose the right of redemption until a certain amount of time after sending a certain notice to certain persons; requiring a certain notice to be

sent in a certain manner; and generally relating to the timing of required notices in tax sales.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–833(a–1)(1) and (6)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 14–833(a–1)(4)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 183 – Senators Kelley and Miller**

AN ACT concerning

#### **Condominiums and Homeowners Associations – Transition of Control – Termination of Contracts**

FOR the purpose of authorizing, under certain circumstances, the board of directors of a condominium to terminate certain contracts within a certain period of time after the board of directors is elected and the governing body of a homeowners association to terminate certain contracts within a certain period of time after the governing body is elected; repealing provisions of law that allowed, under certain circumstances, the board of directors of a condominium to terminate a contract entered into by the officers or the board and the governing body of a homeowners association to terminate a contract entered into by the governing body; and generally relating to termination of contracts by condominiums and homeowners associations.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–109(c)(16)(v) and 11B–106.1(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 184 – Senators Kelley, Madaleno, and Stone**

AN ACT concerning

**Real Property – Common Ownership Communities – Dispute Settlement  
Mechanism**

FOR the purpose of altering the application of a certain dispute settlement mechanism under the Maryland Condominium Act; establishing a certain dispute settlement mechanism under the Maryland Homeowners Association Act; requiring a governing body of a homeowners association to follow certain procedures before imposing a sanction for a rule violation; authorizing a certain action for damages or injunctive relief under certain circumstances; establishing that the failure of the governing body of a homeowners association to enforce certain provisions is not a waiver of the right to enforce a provision; providing for the application of this Act; making stylistic changes; and generally relating to the Maryland Condominium Act, the Maryland Homeowners Association Act, and common ownership community dispute settlement procedures.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–113  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 11B–111.7  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 185 – Senators Forehand, Conway, King, Madaleno, Manno,  
Montgomery, Ramirez, Raskin, and Stone**

AN ACT concerning

**Motor Vehicles – Child Seating and Safety Seats – Requirements and  
Prohibition**

FOR the purpose of requiring a person transporting a child under a certain age in a motor vehicle to secure the child in a rear-facing child safety seat in accordance with the child safety seat and vehicle manufacturers' instructions; repealing an exception to a requirement that a child under a certain age must be secured in a child safety seat that applies to a child weighing more than a certain amount; prohibiting a person from transporting a child under a certain age in a motor vehicle if the child is seated in the outboard front seat of the motor vehicle; making stylistic and conforming changes; and generally relating to motor vehicles and child seating and safety seats.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–412.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 22–412.3(a)(3)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 186 – Senator McFadden**

AN ACT concerning

#### **Baltimore City – Alcoholic Beverages Licenses – Fees**

FOR the purpose of altering certain fees for certain alcoholic beverages licenses in Baltimore City; repealing a certain provision of law requiring certain licensees in Baltimore City to pay a certain amount each year if they provide live entertainment or outdoor table or cafe service; and generally relating to the fees charged for alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 5–101(a), 5–201(a), 5–301(a), 5–401(a), 6–101(a)(1), 6–102(b),  
6–201(a)(1) and (2) and (d)(1)(i), (2)(i) and (ii), and (3)(i) and (ii),  
6–301(a)(1), 6–401(a)(1), 7–101(b)(1)(i) and (d)(1)(i), 8–203(d)(1), and  
8–508(b)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 5–101(d), 5–201(d), 5–301(d), 5–401(d), 6–101(d), 6–102(d),  
6–201(d)(1)(ii), (2)(iii), and (3)(viii), 6–301(d), 6–401(d)(1), 7–101(b)(3) and  
(d)(3), 8–203(d)(7), and 8–508(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing  
Article 2B – Alcoholic Beverages  
Section 6–201(d)(6)  
Annotated Code of Maryland

(2011 Replacement Volume)

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

**Senate Bill 187 – Chair, Finance Committee**

AN ACT concerning

**State Commission of Real Estate Appraisers and Home Inspectors – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Commission of Real Estate Appraisers and Home Inspectors in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Commission; requiring that an evaluation of the Commission be performed on or before a certain date; requiring the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date; repealing a requirement for the Commission to submit a certain report to certain committees of the General Assembly on or before a certain date; renaming the Commission; making conforming changes; 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 16–101(g) to be under the amended title “Title 16. Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors”; 16–201 and 16–217(c)(2) to be under the amended subtitle “Subtitle 2. State Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors”; and 16–801 and 16–802

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 2–106.7(a) and (b)(1), 2–106.8(a), and 2–108(a)(25)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 8–403(b)(59)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Chapter 470 of the Acts of the General Assembly of 2001  
Section 3

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

**Senate Bill 188 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Washington County – Distribution of Amounts to Town of Williamsport –  
Payments in Lieu of Property Taxes on Electricity Generation Facilities**

FOR the purpose of altering the requirement that Washington County distribute certain proceeds of certain payments in lieu of property taxes under certain circumstances; providing for the application of this Act; and generally relating to the distribution of certain proceeds in Washington County.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 7–514(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–514(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 189 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Rural Heritage  
Transportation Museum**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to change the location of a certain grantee; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2006.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item ZA01(CM)

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

**Senate Bill 190 – Senators Jacobs, Brinkley, Edwards, Getty, Glassman,  
Kittleman, Pipkin, and Reilly**

EMERGENCY BILL

AN ACT concerning

**Education – School Construction – Applicability of Priority Funding Areas**

FOR the purpose of repealing a certain policy of the State to target funds to existing public schools; excluding school construction from certain provisions of law; providing for the application of this Act; making this Act an emergency measure; and generally relating to school construction.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–301(d)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–7B–07  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 191 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Comptroller)**

AN ACT concerning

**Comptroller – Monitoring and Recording of Telephone Calls – Training and  
Quality Assurance**

FOR the purpose of authorizing the Comptroller of the State to manage the monitoring and recording of certain telephone calls for certain purposes; requiring monitored telephone calls to contain a certain notice; and generally relating to the monitoring of telephone calls by the Comptroller.

BY adding to

Article – Tax – General

Section 2–114

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 192 – Carroll County Senators**

AN ACT concerning

#### **Creation of a State Debt – Carroll County – Goodwill Industries of Monocacy Valley – Westminster Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$800,000, the proceeds to be used as a grant to the Board of Directors of the Goodwill Industries of Monocacy Valley, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 193 – Senators Young, Colburn, Forehand, Madaleno, Middleton, and Montgomery**

AN ACT concerning

#### **Agriculture – Maryland Standard of Identity for Honey**

FOR the purpose of establishing a Maryland standard of identity for honey; requiring the standard to be applied to certain products; authorizing the designation of certain products as honey; requiring certain products to be distinguished from pure honey under certain circumstances; authorizing certain naming and labeling requirements for honey; requiring that the country of origin be declared on the label for a certain honey designation; requiring that certain styles of honey be declared on the label; authorizing a person that has suffered certain damages to bring a certain action to recover damages in a certain court; clarifying that, notwithstanding certain provisions of law, the Department of Agriculture is not required to enforce the requirements of this Act; defining certain terms; and generally relating to establishing a standard of identity for honey in Maryland.

BY adding to

Article – Agriculture

Section 10–1901 through 10–1907 to be under the new subtitle “Subtitle 19.  
Standard of Identity for Honey”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 194 – Senators Young, Middleton, and Montgomery**

AN ACT concerning

**Real Property – Residential Leases – Interest on Security Deposits**

FOR the purpose of altering the interest rate paid on a security deposit under a residential lease at the end of a tenancy; altering the interest rate paid on a security deposit under a residential lease when an evicted or ejected tenant makes a timely written demand for return of the security deposit; requiring the Department of Housing and Community Development to maintain a certain list on its Web site; making a stylistic change; providing for the application of this Act; providing for a delayed effective date; and generally relating to the interest paid on security deposits under residential leases.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 8–203(e) and (h)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Real Property

Section 8–203(k)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 195 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Catonsville Rails to Trails**

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 Catonsville Rails to Trails, Inc. for certain development or improvement purposes; providing for

disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 196 – Senators Young, Klausmeier, Madaleno, Montgomery, and Robey**

AN ACT concerning

**Public Safety – Building Codes – Balcony Inspections  
 (“Jonathan’s Law”)**

FOR the purpose of requiring a political subdivision to conduct periodic inspections of certain multifamily dwellings with balconies to ensure that each balcony meets certain requirements; authorizing a political subdivision to authorize a third party to conduct the periodic inspections; authorizing a political subdivision to charge a fee for a periodic inspection; defining a certain term; and generally relating to inspections of balconies in multifamily dwellings.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–203  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

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

**INTRODUCTION OF JOINT RESOLUTIONS**

**Senate Joint Resolution 2 – Senators Raskin and Forehand**

A Senate Joint Resolution concerning

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

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

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

**QUORUM CALL**

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

(See Roll Call No. 61)

**RECESS**

At 11:31 A.M. on motion of Senator Garagiola, seconded, the Senate recessed until 8:00 P.M. on Monday, January 23, 2012 in memory of Charles “Jenks” Mattingly, Oscar T. Jobe, Jr. and Kenneth Masters.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: January 20, 2012**  
**Calendar Day: Monday, January 23, 2012**

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At 8:02 P.M. the Senate resumed its session.

Prayer by: Senator McFadden.

**QUORUM CALL**

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

(See Roll Call No. 68)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 124 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Dr. Martha A. Smith  
in recognition of  
18 years of exemplary leadership as President of  
Anne Arundel Community College.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 23rd day of January 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 69)

**Senate Resolution No. 94 – Senator Bobby A. Zirkin:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
The Owings Mills High School Moot Court Team  
in recognition of  
your victory in the 2011 Maryland Invitational

Moot Court Championship. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 23rd day of January 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 70)

## INTRODUCTION OF BILLS

### Senate Bill 197 – Senator McFadden

AN ACT concerning

#### **Sales and Use Tax – Distribution of Revenues – Public School Construction**

FOR the purpose of requiring the Comptroller to pay a certain amount of the revenues from the sales and use tax to a certain fund to be used for certain public school construction projects; establishing the Public School Construction Financing Fund as a special, nonlapsing fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; requiring the Board of Public Works to consider certain factors and approve funding for certain school construction projects; providing the maximum amount of funding the Board of Public Works may approve in certain counties and regions in the State; providing for the investment of money and expenditures from the Fund; and generally relating to the distribution of certain revenues from the sales and use tax imposed on the sale of alcoholic beverages.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 2–1303

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 5–313

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 198 – Chair, Anne Arundel County Senators**

AN ACT concerning

**Courts and Judicial Proceedings – Circuit Court for Anne Arundel County – Fees for Appearance of Counsel**

FOR the purpose of altering certain appearance of counsel fees collected or charged by the Clerk of the Circuit Court for Anne Arundel County; authorizing the Clerk of the Circuit Court for Anne Arundel County to collect a certain appearance of counsel fee; and generally relating to certain appearance of counsel fees.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–204(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 199 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Samaritan House Addition**

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 Samaritan House, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 200 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – YWCA Counseling and Community Service Building Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$325,000, the proceeds to be used as a grant to the Board of Directors of the Young Women's Christian Association of Annapolis and Anne Arundel County Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

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

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

**Senate Bill 201 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Lansdowne Volunteer Fire Department**

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 Lansdowne Volunteer Fire Department for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 202 – Senators Kelley, Benson, Forehand, Klausmeier, Montgomery, Ramirez, Rosapepe, and Young**

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Governing Bodies**

FOR the purpose of requiring the governing body of a condominium to convene at least a certain number of meetings each year; requiring the developer of a condominium to appoint a certain person to the governing body within a certain period of time from the date a certain number of units is conveyed under certain circumstances; requiring a developer to deliver certain notices regarding a certain bond to certain individuals within a certain period of time; requiring a council of unit owners to keep books, records, and accounts beginning on the date the council is established; requiring a council of unit owners to maintain certain books, records, and accounts in a certain manner; making certain provisions of law applicable to the accounts of a condominium; requiring a declarant to appoint a certain person to the governing body of a homeowners association within a certain period of time from the date a certain number of lots is sold under certain circumstances; requiring a declarant to deliver certain notices regarding a certain bond to certain individuals within a certain period of time; requiring the governing body of a homeowners association to convene at least a certain number of meetings each year; requiring a homeowners association to maintain books, records, and accounts beginning on the date the

homeowners association is established; requiring a homeowners association to maintain certain books, records, and accounts in a certain manner; making certain provisions of law applicable to the accounts of a homeowners association; and generally relating to the governing bodies of condominium councils of unit owners and homeowners associations.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 11–109(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–109(c), 11–114.1(d), 11–116, 11–132, 11B–106.1, 11B–111,  
11B–111.6(d), and 11B–112(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 203 – Senators Zirkin, Astle, Jacobs, Madaleno, Manno, Mathias, Montgomery, Robey, Shank, Stone, and Young**

AN ACT concerning

**Criminal Law – Animal Cruelty – Payment of Costs**

FOR the purpose of authorizing a court to order a defendant convicted of a certain charge of animal cruelty, as a condition of sentencing, to pay, in addition to any other fines and costs, all reasonable costs incurred in removing, housing, treating, or euthanizing an animal confiscated from the defendant; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–606, 10–607, and 10–608  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 204 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Dinosaur Park  
Improvements**

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 Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 205 – Senator Edwards**

AN ACT concerning

**Garrett County – Correctional Officers’ Bill of Rights**

FOR the purpose of adding Garrett County to the provisions of law relating to the Cecil County and St. Mary’s County 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 2011 Supplement)

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

**Senate Bill 206 – Senators Pinsky, Benson, Forehand, Gladden,  
Jones–Rodwell, Madaleno, Manno, Montgomery, Ramirez, Raskin, and  
Rosapepe**

AN ACT concerning

**Maryland Health Security Act of 2012**

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 Health Policy Board and the terms, duties, and powers of the members of the Health Policy Board; establishing the Maryland Health System Administrative Board; specifying the membership of the Administrative Board and the terms, duties, and powers of the members of the Administrative Board; establishing the Maryland Health System Health Needs, Planning, and Improvement Board; specifying the membership of the Health Needs, Planning, and Improvement Board and the terms, duties, and powers of the members of the Health Needs, Planning, and Improvement Board; establishing the Maryland Health Quality Board; specifying the membership of the Health Quality Board and the terms, duties, and powers of the members of the Health Quality Board; establishing the Maryland Health System Patient Advocacy Board; specifying the membership of the Patient Advocacy Board and the terms, duties, and powers of the members of the Patient Advocacy Board; establishing the Maryland Health System Trust Fund; specifying the purposes, contents, and uses of the Fund; establishing the Maryland Health System Fund Board; specifying the membership of the Fund Board and the terms, duties, and powers of the members of the Fund Board; establishing the Maryland Health System Payment Board; specifying the membership of the Payment Board and the terms, duties, and powers of the members of the Payment 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 Health 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 Health Policy Board to seek certain waivers on or before a certain date; requiring the Health Policy Board to submit a certain report to the Governor and the General Assembly on or before a certain date; providing that negotiated health insurance contributions made by employers on behalf of employees who are working in the State temporarily but who reside outside the State may not be abridged by this Act; defining certain terms; providing for the effective dates of this Act; and generally relating to the Maryland Health System.

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 and 2011 Supplement)

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

**Senate Bill 207 – Senators Pinsky, Frosh, Madaleno, Raskin, Rosapepe, and Stone**

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 2011 Supplement)

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

**Senate Bill 208 – Senators Pinsky, Brochin, Forehand, Montgomery, and Raskin**

AN ACT concerning

**Environment – Recycling – Apartment Buildings and Condominiums**

FOR the purpose of requiring a county to address the collection and recycling of certain materials by certain property owners or managers in a certain recycling plan; requiring owners or managers of apartment buildings or condominiums that contain a certain number of dwelling units to provide for recycling for residents on or before a certain date; clarifying that certain provisions of this Act do not affect the authority of a county, municipality, or other local government to enact and enforce certain recycling requirements; clarifying that certain provisions of this Act do not require a county to manage or enforce certain recycling activities within the boundaries of a municipality; requiring certain owners or managers to report annually to a county in accordance with certain requirements beginning on a certain date; requiring that the recycling required under this Act be done in accordance with certain recycling plans;

providing for a civil penalty for a violation of this Act; providing for disbursement of penalties collected under this Act to certain jurisdictions; providing for a delayed effective date for a certain provision of this Act; clarifying that this Act does not preempt or prevail over certain other legislation; and generally relating to recycling by owners or managers of certain apartment buildings and condominiums.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1703(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1703(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 9–1711  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 209 – Senator Kelley**

AN ACT concerning

#### **Real Estate Settlements – Paying or Receiving Consideration – Penalties**

FOR the purpose of providing that a certain person who violates a provision of law that prohibits paying or receiving consideration in connection with real estate settlements may be subject to certain disciplinary action; authorizing certain licensing authorities to take certain disciplinary actions against certain licensees; repealing a certain definition; making a clarifying change; and generally relating to paying or receiving consideration in connection with real estate settlements.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–127  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 16–701(a)(1)(xii) and (xiii), 16–701.1(a)(7) and (8), and 17–322(b)(34)  
and (35)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Business Occupations and Professions  
Section 16–701(a)(1)(xiv), 16–701.1(a)(9), and 17–322(b)(36)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 11–517(a)(4) and (5) and 11–615(a)(4) and (5)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Financial Institutions  
Section 11–517(a)(6) and 11–615(a)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 10–126(a)(22) and (23) and (b)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Insurance  
Section 10–126(a)(24)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 210 – Senators Stone, Colburn, Dyson, Gladden, Klausmeier, and Pipkin**

AN ACT concerning

**Income Tax – Subtraction Modification – Qualified Maryland Toll Expenses**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain amounts paid in a certain manner by individuals for certain toll expenses; defining certain terms; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain amounts paid in a certain manner for certain tolls.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–208(r)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 211 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Courts – Sentence Review – Review Panel**

FOR the purpose of altering the number of judges on a criminal sentence review panel; altering a certain definition to require review panel judges to be of a certain judicial circuit; clarifying who is entitled to a sentence review by a review panel; clarifying that a sentence includes any suspended portion for the purposes of a sentence review; repealing a provision of law authorizing a certain sentencing judge to sit with a review panel in an advisory capacity; establishing that a review panel has jurisdiction over a defendant's case once a sentence has been changed; clarifying who may be heard at a criminal sentence review hearing; and generally relating to criminal sentence reviews and review panels.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 8–101, 8–102, 8–105, and 8–106  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 212 – Senators Raskin, Madaleno, Gladden, Manno, Montgomery, Pinsky, and Pugh**

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 and 2011 Supplement)

BY adding to

Article – State Government  
Section 20–101(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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 and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 2–302  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 213 – Senators Raskin, Robey, Forehand, Gladden, Kasemeyer, Kelley, Madaleno, Manno, Montgomery, Peters, Pinsky, and Stone**

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 tanning devices; 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 and 2011 Supplement)

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

**Senate Bill 214 – Senator Raskin**

AN ACT concerning

**Criminal Law – Possession of Marijuana – De Minimus Quantity**

FOR the purpose of establishing a reduced penalty for a person convicted of the use or possession of less than a certain quantity of marijuana; providing that, with a certain exception, the use or possession of less than a certain quantity of marijuana may not be considered a lesser included crime of any other crime; and generally relating to penalties for possession of marijuana.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–601  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 215 – Senator Glassman**

AN ACT concerning

**Property Tax Assessment Appeals – Comparable Properties – Internet Access to Worksheets**

FOR the purpose of requiring the State Department of Assessments and Taxation to maintain a database, available to the public on the Department's Web site, of certain information on any property that may be used as a comparable during certain property tax assessment appeals; repealing an authorization for the Department to charge a certain fee for certain information; and generally relating to information regarding comparable properties for property tax assessment appeals provided by the State Department of Assessments and Taxation.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–511(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 216 – Senator Kelley**

AN ACT concerning

**Family Law – Marriage Licenses and Ceremonies**

FOR the purpose of repealing the requirement that a marriage license be issued by the clerk for the county in which the marriage is performed; authorizing a clerk of any county of the State to issue a marriage license; repealing the requirement that a marriage license contain a statement that the license is valid only in the county in which it is issued; making conforming changes; and generally relating to marriage licenses and ceremonies in Maryland.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 2–101  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 2–401, 2–403(a), and 2–405(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 217 – Senators Robey, Conway, Ferguson, Forehand, Kasemeyer, Kelley, King, Klausmeier, Madaleno, McFadden, Montgomery, Peters, Pugh, Raskin, and Young**

AN ACT concerning

**Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties**

FOR the purpose of repealing certain provisions of law that require enforcement as a secondary offense of certain violations involving the use of a wireless communication device while operating a motor vehicle; repealing certain provisions of law that apply certain prohibitions involving the use of a wireless communication device to certain operators of certain motor vehicles only if the motor vehicle is in motion; providing that certain prohibitions against the use of a wireless communication device while operating a motor vehicle apply only if the vehicle is in the travel portion of the roadway; altering the penalty imposed for a violation of a certain prohibition on the use of a handheld telephone while operating a motor vehicle; repealing a certain provision of law prohibiting, under certain circumstances, a certain assessment of points for a first violation of a certain prohibition on the use of a handheld telephone while operating a motor vehicle; making a certain technical correction; and generally relating to the use of wireless communication devices while operating a motor vehicle.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 21–1124 and 21–1124.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 27–101(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 218 – Senator Manno**

AN ACT concerning

**County Income Tax – Maximum Rate and Authority to Impose on a Bracket Basis**

FOR the purpose of altering the maximum tax rate a county may impose on an individual's Maryland taxable income; authorizing a county to impose the

increase to the county income tax rate on a bracket basis; and generally relating to the county income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–106  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 219 – Senator Manno**

AN ACT concerning

**Procurement – Public Work Contracts – Project Labor Agreements**

FOR the purpose of requiring certain public bodies to include project labor agreements in public work contracts under certain circumstances; providing a certain exception; providing for the content of a project labor agreement; requiring a public body to disclose certain findings that justify the inclusion of a project labor agreement in a public work contract; requiring a public body to develop a written project labor agreement, subject to certain conditions; requiring the Commissioner of Labor and Industry to adopt certain regulations; defining certain terms; and generally relating to project labor agreements and public work contracts.

BY adding to  
Article – State Finance and Procurement  
Section 17–701 through 17–704 to be under the new subtitle “Subtitle 7. Project Labor Agreements – Public Work Contracts”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 220 – Senators Frosh, Forehand, Garagiola, King, Madaleno, Manno, Montgomery, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – National Center for Children and Families Youth Activities Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of the National Center for Children and Families for certain development or improvement

purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 221 – Senator Frosh**

AN ACT concerning

#### **Courts and Judicial Proceedings – Strategic Lawsuits Against Public Participation**

FOR the purpose of establishing certain burdens of proof and procedures in an alleged strategic lawsuit against public participation (SLAPP) suit; requiring a court to consider certain evidence and pleadings in ruling on a motion to dismiss or to stay an alleged SLAPP suit; providing for the effect of a certain finding; authorizing the Office of the Attorney General, or a certain government body to which a certain communication was directed, to intervene to defend or support a certain party in an alleged SLAPP suit; requiring a court to stay any discovery and pending hearings or motions in an alleged SLAPP suit on the filing of a motion to dismiss or to stay and until the court rules on the motion; requiring a court to award certain attorney's fees, costs, and other relief under certain circumstances; altering a certain definition; defining certain terms; providing for the application of this Act; and generally relating to SLAPP suits.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–807  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 222 – Senators Frosh, Brochin, Conway, Garagiola, Jones–Rodwell, King, Madaleno, Manno, McFadden, Peters, Pinsky, Raskin, Robey, Rosapepe, and Young**

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 or financed, to a certain extent, by a grant of State aid to certain grantees; requiring the Department of Housing and Community Development to require certain recipients of State funds to employ

certain standards under certain circumstances; authorizing the Secretary of Housing and Community Development to provide a certain waiver; defining certain terms; altering certain definitions; 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  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 7–406(a)(3)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 223 – Senator Gladden**

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 2011 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 2011 Supplement)

BY adding to

Article – Criminal Procedure  
Section 5–202(j)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 224 – Senator Gladden**

AN ACT concerning

#### **Real Property – Condominiums – Rescission of Sales Contracts**

FOR the purpose of limiting a condominium purchaser's right to rescind in writing a contract of sale based on amended material in a vendor's public offering statement to certain amendments that affect materially and adversely the purchaser's rights; requiring a purchaser to state in writing the purchaser's reason for rescission when it is based on certain amended material in a vendor's public offering statement; stating the intent of the General Assembly; making stylistic changes; and generally relating to the rescission of condominium sales contracts.

BY repealing and reenacting, without amendments,

Article – Real Property  
Section 11–126(a), (b), and (d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 11–126(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 225 – Senator Miller**

AN ACT concerning

#### **Creation of a State Debt – Calvert County – North Beach Skate Park**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of North 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 Budget and Taxation.

### MOTION

Senator Klausmeier moved to suspend Rule 32 to allow **Senate Bill 226 through Senate Bill 232** to be referred to the appropriate committee.

The motion was adopted.

### INTRODUCTION OF BILLS

**Senate Bill 226 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Commissioner of Labor and Industry – Inflatable Amusement Attractions – Inspection**

FOR the purpose of altering the application of a provision of law relating to inspections of inflatable amusement attractions to require certain inflatable amusement attractions to be inspected annually; establishing that a certain provision relating to the expiration of a certain certificate of inspection applies only to certain inflatable amusement attractions; and generally relating to inflatable amusement attractions and inspections by the Commissioner of Labor and Industry.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 3–402  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 227 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Maryland Health Care Commission – Assessment of Fees and Maryland  
Trauma Physician Services Fund – Revisions**

FOR the purpose of repealing a certain requirement that the Maryland Insurance Commissioner notify the Maryland Health Care Commission of certain health insurance premiums on or before a certain date each year; altering the manner in which the Commission calculates certain fees assessed on certain payors; altering the maximum amount that may be expended from the Maryland Trauma Physician Services Fund for costs incurred in a fiscal year; and generally relating to the Maryland Health Care Commission.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–111(a)(1), (2), (3), and (6) and 19–130(a)(1), (2), (5), and (6)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing

Article – Health – General

Section 19–111(g)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–111(h) through (j) and 19–130(e)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 228 – Chair, Finance Committee (By Request – Departmental –  
Labor, Licensing and Regulation)**

AN ACT concerning

**State Apprenticeship Training Fund – Use**

FOR the purpose of altering the purposes for which money in the State Apprenticeship Training Fund shall be used by the Secretary of Labor, Licensing, and Regulation; and generally relating to the State Apprenticeship Training Fund.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 17–602  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 229 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

EMERGENCY BILL

AN ACT concerning

**Health Insurance – Individual and Group Coverage – Application of Federal Affordable Care Act**

FOR the purpose of providing that certain provisions of the federal Affordable Care Act regarding preventive services apply to certain health insurance coverage issued or delivered in the State by authorized insurers, nonprofit health service plans, and health maintenance organizations; repealing a certain provision of law applying certain provisions of the federal Affordable Care Act regarding bona fide wellness programs to certain health insurance coverage; making this Act an emergency measure; and generally relating to health insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–137.1  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 230 – Chair, Finance Committee (By Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Maryland Health Care Provider Rate Stabilization Fund**

FOR the purpose of altering the time at which certain professional liability insurers seeking reimbursement from the Rate Stabilization Account of the Maryland Health Care Provider Rate Stabilization Fund on behalf of certain health care providers are required to make a certain determination, send a certain notice, and apply to the Rate Stabilization Account for reimbursement; repealing a requirement that money be disbursed from the Rate Stabilization Account on a quarterly basis; repealing a certain audit requirement; requiring the Secretary of Health and Mental Hygiene, instead of the Maryland Insurance

Commissioner, to include a certain audit in a certain annual report and to report to a certain committee of the General Assembly on or before a certain date each year; altering the contents of a certain report; and generally relating to the Maryland Health Care Provider Rate Stabilization Fund.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–805 and 19–808  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 231 – Chair, Finance Committee (By Request – Departmental – Disabilities)**

AN ACT concerning

**Individuals with Disabilities – Attendant Care Program**

FOR the purpose of altering the method used by the Attendant Care Program in the Department of Disabilities to determine sliding payment scales for certain eligible individuals; altering the description of a certain category of eligible individuals who are at risk of placement in a nursing facility or similar institution; authorizing the Secretary of Disabilities to waive a certain proportional requirement if there is a waiting list for certain eligible individuals; authorizing the Secretary to adopt certain regulations; prohibiting the removal of certain eligible individuals from the Program under certain circumstances; altering a certain definition; and generally relating to the Attendant Care Program in the Department of Disabilities.

BY repealing and reenacting, without amendments,  
Article – Human Services  
Section 7–401(a) and 7–402(a)  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 7–401(d), 7–402(b), and 7–404  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

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

**Senate Bill 232 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Elevator Safety Review Board – Licensing**

FOR the purpose of requiring the Elevator Safety Review Board to provide a certification of licensure on request of any person and on payment of a fee set by the Board; providing for certain information to be contained in the certification of licensure; requiring the Board to reinstate an expired license of a person if the person applies for reinstatement within a certain period of time, meets certain requirements, and pays a certain fee; authorizing the Board to reinstate an expired license that is not renewed within a certain period of time if certain conditions are satisfied; authorizing the Board under certain circumstances to deny an application for or renewal of a license, to reprimand a licensee, or to suspend or revoke a license, if the applicant or licensee is convicted of certain crimes; altering the circumstances under which the Board may impose a certain penalty; increasing the amount of a certain penalty the Board may impose for certain violations; requiring the Board under certain circumstances to consider certain criteria in the granting, denial, renewal, suspension, or revocation of a license or the reprimand of a licensee; and generally relating to the Elevator Safety Review Board.

BY adding to

Article – Public Safety  
Section 12–822.1, 12–833.1, and 12–837  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

BY repealing

Article – Public Safety  
Section 12–837  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

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

**INTRODUCTION OF BILLS**

**Senate Bill 233 – Senators Jacobs, Colburn, Glassman, Jennings, Kittleman, Reilly, and Young**

AN ACT concerning

**Transportation Trust Fund – Appropriation of General Fund Surplus**

FOR the purpose of requiring the Governor to include in the budget bill in certain fiscal years an appropriation to the Transportation Trust Fund of a certain amount of an unappropriated General Fund surplus; providing that cumulative appropriations to the Transportation Trust Fund required under this Act may not exceed a certain amount; and generally relating to the appropriation of unappropriated General Fund surpluses to the Transportation Trust Fund.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7–311(j)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 3–218  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 234 – The President (By Request – Administration) and Senators Benson, Currie, Ferguson, Kelley, King, Middleton, Peters, Pugh, and Rosapepe**

AN ACT concerning

**Maryland Health Improvement and Disparities Reduction Act of 2012**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to designate certain areas as Health Enterprise Zones in a certain manner; specifying the purpose of establishing Health Enterprise Zones; requiring the Department, in consultation with the Community Health Resources Commission, to adopt certain regulations; authorizing certain nonprofit community-based organizations or local government agencies to apply to the Commission on behalf of certain areas for designation as Health Enterprise Zones; establishing certain procedures and requirements in connection with the application process; requiring the Commission to make certain recommendations to the Secretary; authorizing the Secretary to limit the number of areas designated as Health Enterprise Zones; requiring the Commission and Secretary to give priority to applications in a certain manner; authorizing certain licensed health care providers who practice in the Health Enterprise Zones to receive certain benefits; authorizing certain nonprofit community-based organizations or local government agencies to receive certain grants; requiring the Commission and the Department to submit certain annual reports; allowing a credit against the State income tax for certain health care providers who practice in Health Enterprise Zones under certain circumstances;

allowing certain nonprofit community–based organizations or local government agencies to assign certain tax credits; requiring the Department to certify to the Comptroller the applicability of the credit for each health care provider and the amount of each credit assigned; limiting the amount of the credits allowed for a fiscal year; requiring the Department, in consultation with the Comptroller, to adopt certain regulations; requiring a certain evaluation system to establish and incorporate a certain set of measures regarding racial and ethnic variations in quality and outcomes and include certain information on certain actions taken relating to health disparities; requiring a certain community benefit report to include certain information relating to health disparities; requiring certain institutions of higher education to make a certain annual report to the Governor and the General Assembly relating to health disparities; requiring the Health Services Cost Review Commission and the Maryland Health Care Commission to conduct a certain study and report to the Governor and General Assembly on or before a certain date; requiring the Maryland Health Quality and Cost Council to convene a certain workgroup and issue a certain report on or before a certain date; defining certain terms; providing for the application of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to health improvement and the reduction of health disparities.

BY adding to

Article – Health – General

Section 20–904; and 20–1401 through 20–1406 to be under the new subtitle

“Subtitle 14. Health Enterprise Zones”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 10–731

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–134(c) and 19–303(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 235 – The President (By Request – Administration) and Senators Garagiola, King, Madaleno, and Manno**

AN ACT concerning

**Procurement – Investment Activities in Iran**

FOR the purpose of requiring the Board of Public Works, on or before a certain date, to use certain information to create a list of persons that engage in investment activities in Iran; requiring the Board to update the list at certain times; requiring the Board, within a certain number of days before adding a person to the list, to provide the person with certain notice; prohibiting the Board from adding a person to the list under certain circumstances; requiring a unit to require a certain person to certify that the person is not included on a certain list; requiring a person that is unable to certify that the person does not engage in certain investment activities in Iran to provide a certain description of its investment activities; requiring certain certifications and disclosures to be publicly disclosed; requiring a unit to provide a certain person that may have falsely certified that the person does not engage in certain investment activities with certain notice that the person may submit certain documentation to the unit within a certain time frame; authorizing a unit to determine that a person has submitted a false certification under certain circumstances; establishing certain penalties that may be imposed on a person that submits a false certification; prohibiting a unit from awarding a procurement contract to a person that submits a false certification; authorizing a unit to terminate a certain contract with a person that submitted a false certification; providing for the debarment of a certain person under certain circumstances; providing for the application of this Act; establishing that this Act preempts certain local laws; defining certain terms; and generally relating to persons that engage in investment activities in Iran and the State procurement law.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 11–101(a), (d), (k), and (x)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 13–501 through 13–505 to be under the new subtitle “Subtitle 5.  
Investment Activities in Iran”; and 16–203(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 236 – The President (By Request – Administration) and Senators Pinsky, Frosh, Madaleno, Montgomery, and Raskin**

AN ACT concerning

**Sustainable Growth and Agricultural Preservation Act of 2012**

FOR the purpose of altering the contents of certain elements that are required in a certain plan; prohibiting the approval of a residential major subdivision if a local jurisdiction has established certain tiers unless a planning board reviews and recommends the approval under certain circumstances; establishing the requirements for the review of a residential major subdivision by a planning board; requiring a planning board to hold a certain hearing under certain circumstances; requiring a planning board to publish a certain notice in a certain manner; requiring a planning board to provide copies of a proposed major subdivision to certain units and jurisdictions within a certain period of time; requiring a planning board to recommend a proposed major subdivision in a certain manner; requiring a planning board to send a certain resolution and certain documents to the Department of the Environment and the Department of Planning under certain circumstances; establishing certain requirements for the approval of a residential subdivision plat by the Department of the Environment, or the Department's designee; authorizing a local jurisdiction to request a verification of a certain overall yield under certain circumstances; requiring the Department of Planning to verify a certain overall yield after consultation with the Maryland Sustainable Growth Commission; requiring the Department of the Environment to submit a certain subdivision plat to the Department of Planning for certain advice; prohibiting the Department of the Environment from approving a major residential subdivision under certain circumstances on or before a certain date; requiring a local jurisdiction to notify the Department of Planning under certain circumstances; authorizing the Department of the Environment to adopt certain regulations to require offsets for new subdivisions; prohibiting the subdivision or resubdivision of a certain tract or parcel of land or a minor residential subdivision under certain circumstances on or after a certain date; requiring the subdivision plat of a residential minor subdivision to state certain information; authorizing the subdivision or resubdivision of a certain tract or parcel of land or a minor residential subdivision under certain circumstances on or after a certain date; establishing certain requirements for the approval of a shared facility or community sewerage system; requiring the Department of the Environment to establish certain requirements for a shared facility and a community sewerage system; defining certain terms; requiring the Department of the Environment to adopt regulations to require certain residential subdivisions to receive a permit; establishing the intent of the General Assembly; providing for the application of certain provisions of this Act; providing for the construction of this Act; 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 subdivision of land and planning for growth.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–206

Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Environment  
Section 9–1110  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article 66B – Land Use  
Section 1.00, 1.03, 1.04(b)(1)(iv), and 3.05(a)(4)(ii)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article 66B – Land Use  
Section 1.04(a) and 3.05(a)(4)(i)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article 66B – Land Use  
Section 1.04(b)(5), 1.05, and 3.05(a)(9)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment  
Section 9–206(a)(10), (b)(2)(iv), and (d)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)  
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – Land Use  
Section 1–401, 1–407, 3–103, and 5–104  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_ )(2lr0396) of the Acts of the General  
Assembly of 2012)

BY repealing and reenacting, without amendments,

Article – Land Use  
Section 1–405 and 3–101(a)  
Annotated Code of Maryland  
(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_ )(2lr0396) of the Acts of the General  
Assembly of 2012)

BY adding to

Article – Land Use

Section 5–104

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_ )(2lr0396) of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,

Article – Land Use

Section 5–104

Annotated Code of Maryland

(As enacted by Chapter \_\_\_\_ (H.B. \_\_\_\_ )(2lr0396) of the Acts of the General Assembly of 2012)

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

**Senate Bill 237 – The President (By Request – Administration) and Senators Ferguson, Forehand, Frosh, Garagiola, King, Madaleno, Manno, McFadden, Montgomery, Ramirez, Robey, and Rosapepe**

AN ACT concerning

### **Maryland Offshore Wind Energy Act of 2012**

FOR the purpose of altering the Maryland renewable energy portfolio standard program to include a certain amount of energy derived from offshore wind energy; prohibiting the portion of the renewable energy portfolio standard that represents offshore wind energy from applying to certain sales in excess of a certain amount of industrial process load; altering the definition of “renewable energy credit” for purposes of the renewable energy portfolio standard program; requiring an electricity supplier to exclude certain retail electricity sales before calculating the number of credits required under the renewable portfolio standard; providing that certain provisions concerning the transfer of renewable energy credits do not apply to certain offshore wind renewable energy credits; authorizing a person to submit to the Public Service Commission an application for approval of a proposed offshore wind project; specifying the application period and authorizing the Commission to provide for additional application periods; requiring the Commission to approve, conditionally approve, or deny an application within a certain time; providing for the contents of an application; requiring the Commission to use certain criteria to evaluate and compare proposed offshore wind projects; prohibiting the Commission from approving an offshore wind project unless certain criteria are met; requiring the Commission to contract the services of independent consultants and experts when evaluating and comparing proposed offshore wind projects and when calculating a proposed offshore wind project’s net benefits to the State; requiring that an order

approving a proposed offshore wind project include certain information, restrictions, and conditions; providing that a certain order vests the owner of a qualified offshore wind project with a certain right; requiring the Commission to determine the offshore wind energy component of the renewable portfolio standard based on certain projections and requiring electricity suppliers to purchase a certain number of offshore wind renewable energy credits; requiring the Commission to adopt regulations establishing a certain escrow account; requiring a certain overpayment to be refunded to ratepayers, subject to certain reserve requirements, under certain circumstances; requiring a qualified offshore wind project to sell certain energy, capacity, and ancillary services into certain markets and distribute the proceeds to electric companies to be refunded or credited to ratepayers; requiring the Commission to adopt certain regulations regarding the creation of excess offshore wind renewable energy credits; providing that certain provisions regarding certain compliance fees do not apply to a shortfall from the offshore wind renewable energy credit requirement; providing that certain provisions authorizing a delay of certain scheduled Tier 1 credits do not apply to offshore wind renewable energy credits; exempting certain energy lines from a certain prohibition on construction or installation in a beach erosion control district under certain circumstances; providing that an application for a certificate of public convenience and necessity to construct certain energy lines is subject to certain review; prohibiting the construction or installation of certain energy lines within a certain area; requiring the Commission to provide certain notice to the Maryland Energy Administration for certain purposes; authorizing the Commission to implement a special assessment not to exceed a certain amount in certain fiscal years for certain purposes; authorizing the Commission to implement a special assessment in certain fiscal years to recover certain costs; defining certain terms; making the provisions of this Act severable; and generally relating to the Maryland renewable energy portfolio standard program, development of offshore wind energy projects, and qualified submerged renewable energy lines.

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–208, 7–701, 7–703, 7–704(e), and 7–705(b) and (f)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Public Utilities

Section 7–704.1 and 7–704.2

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 7–705(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–1102  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 238 – The President (By Request – Administration) and Senators King, Madaleno, Manno, Montgomery, Peters, Pinsky, Pugh, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Maryland Health Benefit Exchange Act of 2012**

FOR the purpose of requiring the Maryland Health Benefit Exchange to make certain qualified dental plans available to certain individuals and employers in a certain manner and on or before a certain date; requiring the Exchange to establish and implement certain navigator programs; authorizing the Exchange to enter into certain agreements or memoranda of understanding with another state under certain circumstances; requiring the Exchange to seek to achieve a certain enrollment and use a certain market impact to pursue certain objectives; authorizing the Exchange to employ certain alternative contracting options and active purchasing strategies under certain circumstances; providing that the SHOP Exchange shall be a separate insurance market within the Exchange for small employers and may not be merged with the individual market of the Individual Exchange; requiring the SHOP Exchange to be designed in a certain manner; requiring the SHOP Exchange to allow qualified employers to designate a certain coverage level or carrier for a certain purpose; authorizing the SHOP Exchange to reassess and modify the design of the SHOP Exchange under certain circumstances; establishing certain navigator programs for the SHOP Exchange and the Individual Exchange; establishing certain requirements for the navigator programs; authorizing a SHOP Exchange navigator and an Individual Exchange navigator to take certain actions; establishing certain duties of a SHOP Exchange navigator and an Individual Exchange navigator; prohibiting a SHOP Exchange navigator and an Individual Exchange navigator from taking certain actions; establishing a certain licensing process and qualifications for SHOP Exchange navigators; requiring the SHOP Exchange and the Exchange to establish and administer certain insurance producer authorization programs; requiring the SHOP Exchange and the Exchange to develop, implement, and update certain training programs; requiring the Exchange to establish and administer a certain Individual Exchange navigator certification program; establishing certain qualifications for certification as an Individual Exchange navigator; authorizing the Maryland

Insurance Commissioner to take certain disciplinary actions against certain individuals under certain circumstances; requiring the Commissioner, the Exchange, the SHOP Exchange, and the Individual Exchange to adopt certain regulations; providing that certain provisions of this Act do not require certain programs to provide certain financial support to the Individual Exchange for certain services; requiring certain financing arrangements between the Exchange and certain programs to be governed by a certain memorandum of agreement; requiring the Exchange to certify certain dental plans as qualified dental plans; altering certain requirements for certification as a qualified health plan; authorizing the Exchange to establish additional requirements for qualified dental plans under certain circumstances; providing for the selection of the State benchmark plan; providing for the implementation and operation of certain reinsurance and risk adjustment programs; requiring the Exchange to establish a certain fraud, waste, and abuse detection and prevention program; prohibiting certain health insurance carriers from offering certain health benefit plans in the small group market or the individual market under certain circumstances; authorizing the Commissioner, in consultation with the Exchange, to assess the impact of certain exemptions and alter the exemptions based on the assessment; requiring certain health insurance carriers to offer a certain catastrophic plan in the Exchange; defining certain terms; altering certain definitions; making certain stylistic and clarifying changes; providing for the construction of certain provisions of this Act; requiring the Exchange to conduct certain studies, in consultation with certain entities and persons, and report certain findings and recommendations to the Governor and the General Assembly on or before certain dates; establishing a certain joint legislative and executive committee; requiring the committee to conduct a certain study, in consultation with certain entities and stakeholders, of financing mechanisms for the Exchange and to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; and generally relating to health insurance regulation and the Maryland Health Benefit Exchange.

BY renumbering

Article – Insurance  
Section 31–110  
to be Section 31–118  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 15–1204, 15–1303, 31–101, 31–102(d), 31–108, 31–109, and 31–111  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to

Article – Insurance  
Section 31–109 through 31–114, 31–116, and 31–117

Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 239 – The President (By Request – Administration) and Senators Garagiola, King, Madaleno, Manno, McFadden, Peters, Pugh, Robey, and Rosapepe**

AN ACT concerning

**Economic Development – Maryland Technology Development Corporation –  
Maryland Innovation Initiative**

FOR the purpose of establishing the Maryland Innovation Initiative in the Maryland Technology Development Corporation; establishing the membership, qualifications, and the requirements for participation in the Initiative; establishing the purpose of the Initiative; providing for the funding of the Initiative and requiring funds to be used only for certain financial assistance and administrative expenses; authorizing the Initiative to award grants to certain entities under certain circumstances; authorizing the members of the Initiative to establish a certain committee with a certain membership and certain duties; requiring the Board of Regents of the University System of Maryland to undertake certain high impact economic development activities; requiring the Board of Regents to adopt certain policies and procedures related to certain high impact economic development activities; authorizing a University System of Maryland institution to establish, invest in, finance, or operate a certain entity that supports high impact economic development activity and authorizing certain employees to participate in the entity; requiring the Corporation and the Board of Regents to provide certain reports that include certain information; altering the amount and the types of contracts required for a certain Board of Public Works review; defining certain terms; making stylistic changes; and generally relating to economic development, the commercialization of technology in the State, and the Maryland Innovation Initiative.

BY adding to

Article – Economic Development

Section 10–454 through 10–459 to be under the new part “Part V. Maryland  
Innovation Initiative”

Annotated Code of Maryland

(2008 Volume and 2011 Supplement)

BY adding to

Article – Education

Section 12–104.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 12–113

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 11–203(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 240 – The President (By Request – Administration) and Senators Frosh, King, Madaleno, Manno, Montgomery, Pinsky, and Raskin**

AN ACT concerning

**Environment – Bay Restoration Fund – Fees**

FOR the purpose of increasing certain Bay Restoration Fees paid by users of wastewater facilities, onsite sewage disposal systems, and sewage holding tanks beginning on a certain date; providing for the collection of the fees by certain billing authorities under certain circumstances; repealing certain obsolete language; and generally relating to increasing Bay Restoration Fees.

BY repealing and reenacting, without amendments,

Article – Environment

Section 9–1605.2(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(b)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 241 – The President (By Request – Administration) and Senators Ferguson, Forehand, Frosh, Garagiola, Gladden, Jones–Rodwell,**

**Kelley, King, Kittleman, Madaleno, Manno, McFadden, Montgomery, Pinsky, Pugh, Ramirez, Raskin, Robey, Young, and Zirkin**

AN ACT concerning

**Civil Marriage Protection Act**

FOR the purpose of altering a provision of law establishing that only certain marriages are valid in this State; making stylistic and conforming changes in certain provisions of law prohibiting marriages within certain degrees of relationship; prohibiting certain officials from being required to solemnize or officiate a particular marriage or religious rite of a marriage in violation of a certain constitutional right; establishing that certain religious entities have exclusive control over their own theological doctrine, policy teachings, or beliefs regarding who may marry within that faith; prohibiting certain officials from being subject to any fine or penalty for failing or refusing to join individuals in marriage; prohibiting certain religious entities from being required to provide services, accommodations, advantages, facilities, goods, or privileges to an individual under certain circumstances; providing that a certain refusal by a certain religious entity or an individual employed by a certain religious entity may not create a civil claim or cause of action or result in any State action to penalize, withhold benefits from, or discriminate against such entities or individuals; prohibiting certain fraternal benefit societies from being required to admit an individual as a member or provide insurance benefits to an individual under certain circumstances; providing that a certain refusal by a certain fraternal benefit society may not create a civil claim or cause of action or constitute the basis for the withholding of governmental benefits or services from the fraternal benefit society; providing for the construction of this Act; and generally relating to valid marriages and religious freedom.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 2–201 and 2–202  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**QUORUM CALL**

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

(See Roll Call No. 71)

**ADJOURNMENT**

At 8:26 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 24, 2012, in memory of Charles Chandly Astle, father of Senator Astle.

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**Annapolis, Maryland**  
**Tuesday, January 24, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:13 A.M.

Prayer by Rabbi Binyamin Biber, President of the Association of Humanistic Rabbis, guest of Senator Raskin.

(See Exhibit A of Appendix III)

The Journal of January 20, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Astle, Forehand, and Raskin be excused from today's session.

**QUORUM CALL**

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

(See Roll Call No. 73)

**INTRODUCTION OF BILLS**

**Senate Bill 242 – Senators Jones–Rodwell, Conway, Ferguson, Gladden, and McFadden**

AN ACT concerning

**Baltimore City – Education – Public School Facilities and Construction Bond Authority**

FOR the purpose of altering the maximum aggregate principal amount of school construction bonds that the Baltimore City Board of School Commissioners may issue; and generally relating to public school facilities and the issuance of bonds for school construction in Baltimore City.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 4–306.2(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–306.2(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 243 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Conway, Ferguson, Gladden, McFadden, and Pugh**

AN ACT concerning

**Baltimore City – Hotel Room Tax – Convention Center Promotion**

FOR the purpose of extending to a certain date provisions requiring that for certain fiscal years certain amounts measured by proceeds from a hotel room tax imposed by Baltimore City be appropriated to a certain association for certain purposes; and generally relating to hotel room taxes and convention center marketing and tourism promotion in Baltimore City.

BY repealing and reenacting, with amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (40)(e)  
(2007 Replacement Volume, as amended)

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

**Senate Bill 244 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Education – Retiree Health Savings – Maintenance of Effort**

FOR the purpose of excluding from the maintenance of effort calculation a reduction in retiree health costs under certain circumstances; excluding from the maintenance of effort calculation a certain calculation for a certain year; providing for the application of this Act; and generally relating to education funding.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(d)

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

### **QUORUM CALL**

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

(See Roll Call No. 74)

### **ADJOURNMENT**

At 10:21 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 25, 2012.

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**Annapolis, Maryland**  
**Wednesday, January 25, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:11 A.M.

Prayer by Monsignor Bruce Jarboe, Rector of The Cathedral of Mary Our Queen, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 24, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Astle and Jones–Rodwell be excused from today’s session.

**QUORUM CALL**

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

(See Roll Call No. 77)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 125 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Maryland Library Community  
in recognition of  
the 2012 Maryland Library Day, which acknowledges the innovative services provided  
by all Maryland libraries and the broad–based community support they enjoy.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 25th day of January 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 78)

**MOTION**

Senator Klausmeier moved to suspend the Rule 32 to allow **Senate Bills 245 and 247** to be referred to the appropriate committee.

The motion was adopted.

**INTRODUCTION OF BILLS**

**Senate Bill 245 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Juvenile Law – Disposition – Committed Programs**

FOR the purpose of repealing a provision authorizing the juvenile court to designate the type of facility where a certain child is to be accommodated; requiring the Department of Juvenile Services to notify certain individuals if a child's residential placement is changed; authorizing the juvenile court to conduct a certain hearing; and generally relating to juvenile law.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–19(d)(1)(i)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–19(d)(1)(ii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 3–8A–19(l)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 247 – Chair, Judicial Proceedings Committee (By Request – Departmental – Juvenile Services)**

AN ACT concerning

**Juvenile Law – Juvenile Records – Disclosure**

FOR the purpose of authorizing the Department of Juvenile Services to provide access to and confidential use of certain juvenile court records and fingerprints by a certain State or federal agency under certain circumstances; repealing certain provisions that limited access to a certain treatment plan of a child to an agency in the District of Columbia or a state agency in Virginia; repealing the requirement that a certain agency have custody of a certain child in order to access certain information; and generally relating to juvenile records.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–27(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**INTRODUCTION OF BILLS****Senate Bill 246 – Senator Conway**

AN ACT concerning

**Secondhand Precious Metal Object Dealers – Securing and Tagging Items – Requirements**

FOR the purpose of authorizing a secondhand precious metal object dealer, during a certain holding period, to place certain items into a secure container under certain circumstances; requiring a dealer to tag certain items in a certain manner when the dealer places certain items in the dealer's inventory; and generally relating to requirements for securing and tagging items by a secondhand precious metal object dealer.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 12–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 248 – Senators Jones–Rodwell and Montgomery**

AN ACT concerning

**Taxation of Corporations – Alternative Minimum Assessment**

FOR the purpose of imposing a certain tax on corporations doing business in the State based on a certain alternative minimum assessment; providing that a certain tax applies even if a corporation is exempt from the State income tax in accordance with a certain federal law; providing for the computation of the alternative minimum assessment as a certain percentage of a corporation's gross receipts or gross profits, based on a certain election made by the corporation; limiting the alternative minimum assessment to a certain amount for any corporation and to a certain amount for certain groups of corporations; providing for certain credits against the corporate income tax; providing for the application of this Act; and generally relating to the imposition of an alternative minimum assessment on corporations doing business in the State.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 1–101(i)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General

Section 10–102.2 and 10–731

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 249 – Senators Jones–Rodwell and Pinsky**

AN ACT concerning

**State Individual Income Tax – Millionaires' Tax**

FOR the purpose of altering the State income tax rate for certain income of individuals; requiring the Comptroller to waive certain interest and penalties for a certain calendar year to a certain extent; repealing an obsolete provision; providing for the application of this Act; and generally relating to the State individual income tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–105(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 250 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Reemployment of Retirees – Exemptions**

FOR the purpose of altering the number of years required after retirement for certain retirees of the State Retirement and Pension System to be exempt from a certain earnings offset of their retirement allowance when reemployed by certain employers; 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 reemployment of retirees in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 24–405(b)(3)(i) and 25–403(b)(1) and (3)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 24–405(b)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 24–405(b)(1)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 644 of the Acts of the General Assembly of 2009)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 24–405(b)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 644 of the Acts of the General Assembly of 2009)

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

**Senate Bill 251 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**Teachers’ Retirement and Pension Systems – Reemployment of Retirees – Maryland School for the Deaf Exemption**

FOR the purpose of exempting from a certain offset of a retirement allowance certain retirees of the Teachers’ Retirement System or the Teachers’ Pension System who are employed by the Maryland School for the Deaf; and generally relating to the reemployment of retirees in the teachers’ retirement and pension systems.

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 22–406(a) and (c)(4)(v) and (vi) and 23–407(a) and (c)(4)(iv) and (v)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 22–406(c)(5) and (6) and 23–407(c)(5) and (6)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 252 – Senator Jones–Rodwell**

AN ACT concerning

**Baltimore City Community Enhancement Transit–Oriented Development Fund**

FOR the purpose of establishing the Baltimore City Community Enhancement Transit–Oriented Development Fund for certain purposes; providing that the Fund is a special, nonlapsing fund; providing for the contents and uses of the Fund; requiring that a certain portion of certain revenues from certain projects and certain other money be paid into the Fund; requiring the Comptroller to pay certain money from the Fund to the Mayor and City Council of Baltimore City in a certain manner; authorizing the Mayor and City Council to use or make awards of money received from the Fund for certain purposes; requiring the State Treasurer to invest the money in the Fund in a certain manner; stating certain findings of the General Assembly; providing for the application of this Act; providing for the purposes of certain provisions of this Act; defining

certain terms; and generally relating to the Baltimore City Community Enhancement Transit–Oriented Development Fund.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 1–101(e)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY adding to  
Article – Economic Development  
Section 15–101 through 15–107 to be under the new title “Title 15. Baltimore City Community Enhancement Transit–Oriented Development Fund”  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 10–306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–101(m)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 253 – Senators Jacobs and Ferguson**

AN ACT concerning

#### **State Government – Administrative Procedure Act – Proposed Regulations**

FOR the purpose of altering a certain period of time after which a unit in the Executive Branch of State government may adopt a proposed regulation; altering a certain period of time within which the Joint Committee on Administrative, Executive, and Legislative Review may make a certain determination and delay the adoption of a regulation in a certain manner; altering a certain period of time that provides the Committee with a further period of review of a proposed regulation under certain circumstances; altering a certain period of time for public comment on a proposed regulation; requiring a unit to publish the text of a proposed regulation on the unit’s Web site no later than the date that the regulation is published in the Maryland Register; requiring a unit that submits a proposed regulation to the Committee for

approval of emergency adoption to publish the text of the proposed regulation on the unit's Web site no later than the date that the regulation is submitted to the Committee for approval of emergency adoption; requiring a unit to publish a proposed regulation on its Web site in a certain manner; and generally relating to proposed regulations under the Administrative Procedure Act.

BY repealing and reenacting, without amendments,

Article – State Government

Section 10–101(a), (b), (c), (f), (g), and (i), 10–109, and 10–112

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–111(a) and (b)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

Section 10–112.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 254 – Senator Robey**

AN ACT concerning

#### **Vehicle Laws – Fleeing or Eluding Police**

FOR the purpose of making it a felony for a driver of a vehicle to attempt to elude a police officer who gives the driver a visual or audible signal to stop; altering the law to prohibit a driver who had been given a visual or audible signal to stop by a police officer from attempting to elude the police officer in a manner that poses a risk of imminent bodily injury to another person; adding and altering certain defined terms; and generally relating to eluding police officers by drivers of vehicles under certain circumstances.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–904

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 255 – Senator Edwards**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Follow-Up Criminal History Records Checks**

FOR the purpose of requiring the Criminal Justice Information System Central Repository (CJIS) to provide the Board of License Commissioners for Garrett County with a revised printed criminal record statement of a license applicant or license holder if information is reported to CJIS after the initial criminal history records check is completed; requiring CJIS to stop providing the Board with revised printed statements under certain circumstances; defining a certain term; making a certain stylistic change; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 10-103(b)(13)(x)

Annotated Code of Maryland

(2011 Replacement Volume)

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

**Senate Bill 256 – Senator Astle**

AN ACT concerning

**Property and Casualty Insurance – Commercial Policies – Notices of Premium Increases**

FOR the purpose of altering the scope of certain provisions of law that require an insurer to send to certain persons a certain notice of a premium increase for policies of commercial insurance and policies of workers' compensation insurance; providing that the provisions of law do not apply to policies for which the renewal policy premium is in excess of a certain amount and a certain percentage increase over the expiring policy premium; providing for the application of this Act; and generally relating to notices of premium increases for property and casualty insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 27-608

Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 257 – Senator Colburn**

AN ACT concerning

**Education – Talbot County – Participation in High School Athletic Programs**

FOR the purpose of allowing certain students to participate in certain interscholastic athletic activities of other schools in Talbot County under certain circumstances; and generally relating to participation in high school athletic programs.

BY adding to

Article – Education  
Section 4–127  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 258 – Senator Glassman**

AN ACT concerning

**Credit Regulation – Installment Loans Secured by Motor Vehicle Lien –  
Balloon Payments**

FOR the purpose of altering the circumstances under which a credit grantor is authorized to require a consumer borrower to pay a balloon payment at maturity of an installment loan secured by a lien on a motor vehicle; limiting the authority to liens on certain motor vehicles and installment loans in excess of certain amounts; 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 2011 Supplement)

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

**Senate Bill 259 – Harford County Senators**

AN ACT concerning

**Harford County – Harford Community College – Authority to Incur Debt**

FOR the purpose of authorizing the Harford Community College Board of Trustees to borrow money for certain purposes and secure certain debt in a certain manner; and generally relating to the authority of the Harford Community College Board of Trustees to incur debt.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 16–302  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 260 – Senators Glassman, Jacobs, Jennings, and Pipkin**

AN ACT concerning

**Cecil–Harford Highway Impact Revenue Account**

FOR the purpose of creating a Cecil–Harford Highway Impact Revenue Account in the Transportation Authority Fund; specifying the purpose of the Account; establishing the composition of the Account; providing for the use of funds in the Account; providing for the transfer of certain funds in the Transportation Authority Fund to the Account under certain circumstances; and generally relating to the Cecil–Harford Highway Impact Revenue Account.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–313  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 261 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Northeast Maryland Higher Education Advisory Board**

FOR the purpose of establishing the Northeast Maryland Higher Education Advisory Board; providing for the composition, appointment, and terms of the Board members; providing for a chair of the Board and the establishment of certain committees; prohibiting Board members from receiving certain compensation but entitling Board members to reimbursement for certain expenses; providing for the powers and duties of the Board; authorizing the Board to apply, accept, and expend certain gifts, appropriations, or grants; authorizing the Board to adopt a corporate seal; requiring the Board to keep certain records and be subject to certain audits; requiring the Advisory Board to the Higher Education and Conference Center at HEAT to take a certain action on or before a certain date; defining certain terms; and generally relating to the establishment of the Northeast Maryland Higher Education Advisory Board.

BY adding to

Article – Education

Section 24–901 through 24–904 to be under the new subtitle “Subtitle 9.

Northeast Maryland Higher Education Advisory Board”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 262 – Senator Montgomery**

AN ACT concerning

#### **Health Occupations – Psychologists – Penalties for Misrepresentation and Practicing Without a License**

FOR the purpose of altering certain penalties for a violation of certain provisions of law governing the practice of psychology; authorizing the State Board of Examiners of Psychologists to assess a civil fine of not more than a certain amount against a person who violates certain provisions of law prohibiting the practice, attempt to practice, or offer to practice psychology without a license; requiring the Board to pay certain penalties into a certain fund; and generally relating to the practice of psychology in the State.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 18–401 and 18–402

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 18–404

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 263 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Adult Detention Center – Medical and Dental Fees**

FOR the purpose of altering certain medical and dental fees for individuals incarcerated in the Frederick County Adult Detention 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 2011 Supplement)

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

**Senate Bill 264 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Raffles**

FOR the purpose of repealing in Frederick County a certain limitation on the number of certain raffles that may be held on a single day; authorizing the Board of County Commissioners of Frederick County to determine the number of permits to conduct a raffle that certain organizations in Frederick County may receive in a calendar year; and generally relating to raffles in Frederick County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1304(a) and (b)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1304(f)(2)  
Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Law

Section 13–1304(f)(4)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

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

### **Senate Bill 265 – Senators Brinkley and Young**

AN ACT concerning

#### **Frederick County – Tax Sales – Auctioneer’s Fees**

FOR the purpose of setting the amount of the auctioneer’s fee allowed in Frederick County as an expense relating to certain tax sales to be the lowest responsive bid; and generally relating to tax sales in Frederick County.

BY repealing and reenacting, without amendments,

Article – Tax – Property

Section 14–813(e)(1)(iv)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 14–813(e)(2)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 266 – Senators Brinkley and Young**

AN ACT concerning

#### **Frederick County – Property Tax Credit – Job Creation by Small Businesses**

FOR the purpose of authorizing the governing body of Frederick County to grant, by law, a property tax credit against the county property tax imposed on real property owned or leased by certain business entities that meet certain requirements; providing for the amount and duration of certain property tax credits; requiring a lessor of real property in Frederick County eligible for certain property tax credits to reduce by a certain amount the amount of tax for which the tenant is contractually liable under the lease under certain

circumstances; requiring the governing body of Frederick County to provide, by law, requirements for eligibility for the property tax credit, any additional limitations on the credit, and any other provision necessary to implement the credit; defining certain terms; providing for the application of this Act; and generally relating to a county property tax credit for certain new or existing business entities located in Frederick County.

BY renumbering

Article – Tax – Property

Section 9–312(i)

to be Section 9–312(j)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – Property

Section 9–312(i)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 267 – Senators Brinkley and Young**

AN ACT concerning

#### **Frederick County – Adult Detention Center – Processing and Administrative Fees**

FOR the purpose of authorizing the Sheriff of Frederick County to charge a processing fee, not to exceed a certain amount, and a certain general educational development administrative fee, not to exceed a certain amount, for certain individuals in the Frederick County Adult Detention Center; prohibiting juveniles from being charged the administrative fee authorized by this Act; and generally relating to fees charged to individuals in the Frederick County Adult Detention Center.

BY repealing and reenacting, without amendments,

Article – Correctional Services

Section 11–712(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Correctional Services

Section 11–712(e) and (f)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 268 – Senator Pinsky**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Community Forklift Facility**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to extend the deadline for the Board of Directors of the Sustainable Community Initiatives, Inc. to present evidence that a matching fund will be provided; requiring the Board of Public Works to expend or encumber the proceeds of the loan by June 1, 2013; and generally relating to an amendment to the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(BB) and Item ZA03(AZ)

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

**Senate Bill 269 – Senators Pinsky, Benson, Conway, Currie, Ferguson, Frosh,  
Jones–Rodwell, Kelley, Madaleno, Manno, Montgomery, Ramirez,  
Raskin, Rosapepe, Stone, and Young**

AN ACT concerning

**Maryland Business Tax Fairness Act**

FOR the purpose of requiring certain corporations to compute Maryland taxable income using a certain method; requiring, subject to regulations adopted by the Comptroller, certain groups of corporations to file a combined income tax return reflecting the aggregate income tax liability of all 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  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–811  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 270 – Senators Pinsky, Forehand, Jones–Rodwell, King,  
Madaleno, Manno, Montgomery, Raskin, and Rosapepe**

AN ACT concerning

**Public Funding and Small Donor Act for General Assembly Elections**

FOR the purpose of repealing the Public Financing Act for gubernatorial candidates; altering certain limits on certain contributions and transfers; providing that contributions shall be considered as being made by one contributor if the contributions are by a sole proprietor, regardless of the number of sole proprietorships owned by that individual; authorizing the governing body of a county to enact laws to regulate public campaign finance activity for certain county elective offices and certain candidates for election to those offices; specifying certain provisions and limitations applicable to any county laws enacted to regulate public campaign finance activity; establishing a system of public financing of campaigns for certain General Assembly candidates; requiring the State Board of Elections to administer the system of public financing for General Assembly candidates; specifying certain powers and duties of the State Board; creating the Public Election Fund and providing for the inclusion of certain money in the Fund; transferring the money in the Fair Campaign Financing Fund for gubernatorial candidates to the Public Election Fund; defining certain terms; specifying certain procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Public Election Fund; requiring that participating candidates adhere to certain campaign expenditure limits; authorizing participating candidates to raise certain supplemental private contributions under certain circumstances; requiring the Comptroller to perform certain duties in connection with the establishment, maintenance, and administration of the Public Election Fund; prohibiting a participating candidate from being a member of a slate; prohibiting a participating candidate from accepting a contribution from a political party; requiring a participating candidate who opts out of public financing to repay the full amount of the public contribution received by the candidate and pay a certain penalty; providing for judicial review of certain actions by the State Board, subject to a certain exception; providing for certain penalties; providing that certain captions are not law and may not be considered to have been enacted as part of this Act; requiring the State Board to adopt certain regulations; making provisions of this Act severable; creating a Commission to Study Public Financing of Elections in Maryland; providing for

the membership, duties, and staffing of the Commission; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the State Board to provide certain reports to certain persons on or before certain dates on certain matters; providing for a delayed effective date for certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the Public Funding and Small Donor Act for General Assembly Elections.

BY repealing

Article – Election Law

Section 15–101 through 15–111 and the title “Title 15. Public Financing Act”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–226, 13–227, and 13–235

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Election Law

Section 13–505; and 15–101 through 15–118 to be under the new title “Title 15. Public Funding and Small Donor Act for General Assembly Elections”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 271 – Senator Brochin**

AN ACT concerning

#### **Real Property – Security Deposits – Interest**

FOR the purpose of requiring a residential landlord and an owner of a mobile home park to deposit security deposits in certain noninterest bearing accounts; repealing the requirement that a landlord pay interest on a security deposit under a residential lease at the end of a tenancy or when an evicted or ejected tenant makes a timely written demand for return of the security deposit; repealing the requirement that a park owner pay interest on a security deposit at the end of a tenancy; clarifying the application of a certain provision of law; and generally relating to interest paid on security deposits under residential leases and in mobile home parks.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–203(d), (e), and (h), 8A–1001(e) and (f), and 15–102(17)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 101 – Senator Colburn**

AN ACT concerning

**Department of Natural Resources – Tracking Device on Vessel – Prohibition  
Without Court Order**

Reassigned to the Committee on Education, Health, and Environmental Affairs and  
the Committee on Judicial Proceedings under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 173 – Senators Klausmeier, Benson, Montgomery, and Young**

AN ACT concerning

**Public School Buildings – Carbon Monoxide Detection and Warning  
Equipment**

Reassigned to the Committee on Education, Health, and Environmental Affairs under  
Rule 33(d).

Read and ordered journalized.

**QUORUM CALL**

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

(See Roll Call No. 79)

**ADJOURNMENT**

At 10:33 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 26, 2012.

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**Annapolis, Maryland**  
**Thursday, January 26, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:05 A.M.

Prayer by Reverend Doctor William J. Ortt, Christ Church, St. Peter's Parish, guest of Senator Colburn.

(See Exhibit A of Appendix III)

The Journal of January 25, 2012 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 81)

**INTRODUCTION OF BILLS**

**Senate Bill 272 – Senators Peters, Astle, Kittleman, and Klausmeier**

AN ACT concerning

**Labor and Employment – Workplace Fraud Act – Revisions**

FOR the purpose of repealing a certain presumption that certain work performed by an individual creates an employer–employee relationship except under certain circumstances; defining the term “independent contractor” as used in the Workplace Fraud Act; making conforming changes; and generally relating to the Workplace Fraud Act.

BY renumbering

Article – Labor and Employment

Section 3–901(e) through (h), respectively

to be Section 3–901(f) through (i), respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Labor and Employment  
Section 3–901(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 3–903 and 3–904  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 273 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Administrative and Operational Expenses – Certifications and Notifications**

FOR the purpose of requiring the Board of Trustees for the State Retirement and Pension System to send certain certifications and notifications of the amounts payable by local employers for administrative and operational expenses of the Board of Trustees and the State Retirement Agency on or before certain dates; and generally relating to certain certifications and notifications of the amounts payable by local employers for administrative and operational expenses of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 21–316  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 274 – Chair, Education, Health, and Environmental Affairs Committee**

AN ACT concerning

**State Board of Pharmacy – Sunset Extension and Revisions**

FOR the purpose of continuing the State Board of Pharmacy 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; altering the dates on which a pharmacy permit and a wholesale distributor permit expires; altering the date by which the Board must send certain renewal information to certain permit holders; repealing certain provisions requiring certain physician–pharmacist agreements to be approved by the State Board of Physicians and the State Board of Pharmacy; repealing certain provisions that prohibit the State Board of Physicians and the State Board of Pharmacy from approving certain physician–pharmacist agreements under certain circumstances; repealing certain provisions relating to the time period during which a physician–pharmacist agreement is valid; requiring a certain physician and a certain pharmacist to submit a copy of a certain agreement to a certain board; requiring a therapy management contract to apply only to conditions for which protocols have been agreed to by certain parties; repealing a certain provision requiring the establishment of certain fees in regulations; repealing a requirement that certain regulations include provisions that establish a certain procedure; prohibiting certain regulations from requiring certain boards to approve certain physician–pharmacist agreements or the protocols specified in the agreements; requiring that an evaluation of the State Board of Pharmacy and the statutes and regulations that relate to the Board be performed on or before a certain date; providing for an extension of the renewal dates of certain permits; requiring the State Board of Pharmacy to submit certain reports to certain committees of the General Assembly on or before certain dates; altering a certain definition; making a conforming change; and generally relating to the State Board of Pharmacy.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–407(a) and (b)(1), 12–6A–01(f), 12–6A–03, 12–6A–07, 12–6A–10,  
12–6C–06(a), and 12–802

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–6A–01(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(45)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 275 – Senator Mathias**

AN ACT concerning

**Creation of a State Debt – Worcester County – Ocean City Center for the Arts**

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

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

**Senate Bill 276 – Senators Mathias, Colburn, Currie, DeGrange, Edwards, Garagiola, Jennings, Middleton, Peters, and Robey**

AN ACT concerning

**Drivers' Licenses and Identification Cards – Notation of Veteran Status**

FOR the purpose of requiring the Department of Veterans Affairs, on request, to provide a veteran with a document certifying veteran status; requiring the Motor Vehicle Administration to ensure that the driver's license or identification card of an applicant who presents a certain certification of veteran status includes a notation indicating that the applicant is a veteran; requiring an application for a driver's license or an identification card to allow an applicant to indicate that the applicant is a veteran and consents to being contacted by the Department for certain purposes; requiring the Administration to electronically transmit certain information to the Department; authorizing the Administration to adopt regulations to carry out certain provisions of this Act; and generally relating to drivers' licenses and identification cards of veterans.

BY repealing and reenacting, without amendments,  
Article – State Government

Section 9–901(a), (b), and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–905  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 12–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 277 – Senators Raskin, Ramirez, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Pugh, Robey, and Young**

AN ACT concerning

**Human Relations – Housing Discrimination – Source of Income**

FOR the purpose of expanding the housing policy of the State to include providing for fair housing to all citizens regardless of source of income; prohibiting a person from refusing to sell or rent a dwelling to any person because of source of income; establishing certain qualifications and limitations on the general prohibition against discrimination in housing based on source of income; prohibiting a person from discriminating against any person in the terms, conditions, or privileges of the sale or rental of a dwelling because of source of income; prohibiting a person from making, printing, or publishing certain types of materials with respect to the sale or rental of a dwelling that indicate a preference, limitation, or discrimination on the basis of source of income; prohibiting a person from falsely representing that a dwelling is not available for inspection, sale, or rental based on source of income; prohibiting a person from inducing or attempting to induce, for profit, a person to sell or rent a dwelling by making certain representations relating to the entry or prospective entry into the neighborhood of a person having a particular source of income; prohibiting a person whose business includes engaging in residential real estate transactions from discriminating against any person in making available a transaction, or in the terms or conditions of a transaction, because of source of income; prohibiting a person from denying a person, based on source of income, access to or membership or participation in a service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate

against a person in the terms or conditions of membership; prohibiting a person from, by force or threat of force, willfully injuring, intimidating, or interfering with any person because of source of income and because the person is negotiating for the sale or rental of any dwelling or participating in any service relating to the business of selling or renting dwellings; defining a certain term; providing that certain provisions concerning source of income do not apply to certain housing; providing that this Act does not limit the rights or remedies that are otherwise available to a landlord or tenant under any other law; and generally relating to prohibitions against discrimination in housing based on source of income.

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–701, 20–702, 20–704, 20–705, 20–707, and 20–1103

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 278 – Senators Raskin, Benson, Conway, Kelley, Madaleno, Montgomery, Pinsky, Ramirez, and Stone**

AN ACT concerning

**State Government – Human Relations – Discrimination in Housing,  
Employment, and Places of Public Accommodation**

FOR the purpose of making certain provisions of law related to discrimination by a place of public accommodation applicable to a certain Internet Web site of a certain business entity; prohibiting an owner or operator of a place of public accommodation from refusing, withholding from, or denying to any person the services of the place of public accommodation because of certain characteristics of the person; providing that each time a person is affected by a certain discriminatory act is a separate violation; making certain provisions of law related to enforcement applicable to alleged discrimination by a place of public accommodation; authorizing certain remedies for discrimination by a place of public accommodation; clarifying the remedies available for an unlawful employment practice; repealing a prohibition against issuing certain orders affecting the cost, level, or type of transportation services; authorizing a complainant alleging discrimination by a place of public accommodation to bring a civil action under certain circumstances; providing for the venue of and remedies in a certain civil action; repealing the authority of the Commission on Civil Rights to seek an order assessing a civil penalty for discrimination by a place of public accommodation; altering the definition of “disability” for purposes of provisions of law relating to discrimination in employment and housing; defining certain terms; requiring an Internet Web site created and made available to the public before a certain date to be made accessible to the

blind and visually impaired on or before a certain date; requiring an Internet Web site created or substantially revised on or after a certain date to be accessible to the blind and visually impaired on or before a certain date; making conforming changes; and generally relating to discrimination in housing, employment, and places of public accommodation.

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 and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 20–101(a), 20–601(a), and 20–701(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 20–101(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 20–301, 20–304, 20–601(b), 20–701(b), 20–1001, 20–1006(b), 20–1007(a)  
and (b), 20–1009, 20–1012(a) and (b), 20–1013, 20–1016(a), and 20–1017  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 279 – Senators Raskin, Forehand, Frosh, Garagiola, King,  
Madaleno, Manno, and Montgomery**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Easter Seals  
Inter-Generational Center Expansion**

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 Easter Seals of Greater Washington–Baltimore Region, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund;

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

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

**Senate Bill 280 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Task Force to Study Implementing a Civil Right to Counsel in Maryland**

FOR the purpose of establishing the Task Force to Study Implementing a Civil Right to Counsel in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to certain public officials on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Implementing a Civil Right to Counsel in Maryland.

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

**Senate Bill 281 – Senator Frosh**

AN ACT concerning

**Civil Actions – Contract Actions Against Maryland Automobile Insurance Fund – Limitation on Actions**

FOR the purpose of altering the period within which a certain lawsuit against the Maryland Automobile Insurance Fund is required to be filed as a condition of bringing a contract action against the Fund; and generally relating to the State's conditional waiver of sovereign immunity in contract actions.

BY repealing and reenacting, without amendments,

Article – State Government

Section 12–201

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 12–202

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 282 – Chair, Finance Committee**

AN ACT concerning

**Office of Cemetery Oversight – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the Office of Cemetery Oversight in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to statutory and regulatory authority of the Office; exempting private family cemeteries that do not conduct public sales from certain permitting and registration, perpetual care, and preneed contract requirements of the Maryland Cemetery Act; altering the membership of the Advisory Council on Cemetery Operations; increasing the number of times the Advisory Council is required to convene each year; requiring the Director of the Office of Cemetery Oversight to include certain information regarding the number of registrants and permit holders in a certain annual report; requiring the Director to provide a copy of certain annual reports to each member of the Advisory Council; requiring the Director, at certain times, to deliver to each member of the Advisory Council certain paperwork; requiring the Advisory Council to respond to issues raised in certain annual reports and develop a plan to study ongoing issues; authorizing a certain registration to be transferred under certain circumstances; requiring a certain annual report to include certain information on the number of inquiries received by the Office; requiring an applicant for a permit to submit certain documentation to the Director; requiring a certain disclosure to be made in a certain manner; requiring the Office to provide a report on the implementation of certain recommendations to certain committees of the General Assembly on or before a certain date; requiring the Advisory Council to develop a plan for consumer outreach, study recordkeeping practices for cemeteries in a certain manner, and develop a legislative proposal on recordkeeping practices; requiring the Director and the Advisory Council to develop certain orientation materials and study the issue of the increasing rate of cremations and its effect on the Office's finances; requiring the Director and a committee formed of members of the Advisory Council to update the Office newsletter and develop a certain plan for updating the newsletter; making stylistic and technical changes; and generally relating to the Office of Cemetery Oversight and the operation of cemeteries and burial goods businesses in the State.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–102(a), 5–201(c), 5–204(i) and (l), 5–305(b), 5–311(h), 5–404,  
5–602(a), 5–702(a), 5–801, and 5–1002

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Regulation  
Section 5–204(m) and 5–204.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 8–403(b)(10)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 283 – Senators Stone, Forehand, Jacobs, Klausmeier, and  
Simonaire**

AN ACT concerning

**Vehicle Laws – Accidents Resulting in Death – Appearance in Court for  
Traffic Citations**

FOR the purpose of requiring a person who receives a traffic citation with a certain notice for a violation that contributed to an accident that resulted in the death of another to comply with the notice to appear in court contained in a certain writ or trial notice by appearance in person; and generally relating to accidents resulting in death and appearance in court for traffic citations.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 26–204  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 284 – Senators Frosh, Brinkley, Brochin, Conway, Dyson,  
Garagiola, Getty, Glassman, Kasemeyer, Kittleman, Madaleno,  
Middleton, Miller, Robey, and Stone**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Legislative Immunity – Prosecutions for Bribery**

FOR the purpose of proposing an amendment to the Maryland Constitution to provide that a certain legislative immunity or privilege does not apply in a certain prosecution; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 18

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

**Senate Bill 285 – Senators Frosh, Brinkley, Brochin, Conway, Dyson, Garagiola, Getty, Glassman, Kasemeyer, Kittleman, Madaleno, Middleton, Miller, Robey, and Stone**

AN ACT concerning

**Immunity of Local Government Officials – Prosecutions for Bribery**

FOR the purpose of providing an exception to certain immunity for certain government officials for words spoken at certain meetings; and generally relating to immunity of local government officials.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–501  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 9–201  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 286 – Senator Jennings**

AN ACT concerning

**State Highway Administration – Outdoor Sign Permits – Issuance to Business Enterprises During Highway Construction Projects**

FOR the purpose of authorizing the State Highway Administration to issue a permit to certain persons to erect and maintain temporary outdoor signs for business enterprises to replace outdoor signs removed by the Administration during certain highway construction projects; prohibiting a person from replacing a certain outdoor sign removed by the Administration under certain circumstances with a temporary sign unless the Administration has issued a permit for the temporary sign under a certain provision of law; and generally relating to permits for temporary outdoor signs for business enterprises during certain highway construction projects.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–714 and 8–729  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 287 – Senators Jennings and Shank**

AN ACT concerning

**Family Investment Program – Eligibility – Drug Testing**

FOR the purpose of requiring individuals applying for or receiving temporary cash assistance benefits under the Family Investment Program to comply with certain eligibility requirements related to drug testing; authorizing temporary cash assistance benefits that have been terminated to resume under certain circumstances; requiring an addictions specialist to notify the Family Investment Program case manager if an applicant or a recipient does not complete certain drug testing; requiring an addictions specialist to take certain actions under certain circumstances and in a certain manner; authorizing certain individuals to reapply for temporary cash assistance in a certain manner; requiring a local department to reduce temporary cash assistance benefits under certain circumstances; prohibiting a local department from paying temporary cash assistance to certain applicants under certain circumstances; requiring a local department to make temporary cash assistance benefits payments to a third party payee or a compliant adult recipient under certain circumstances; defining a certain term; and generally relating to eligibility for the Family Investment Program and drug testing.

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 5–101(f)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 5–301, 5–308, 5–312, and 5–314  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

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

**Senate Bill 288 – Senator Simonaire**

AN ACT concerning

**Criminal Law – Drug-Free Zones – Public Parks and Recreation Areas**

FOR the purpose of prohibiting a person from using or possessing with intent to use drug paraphernalia in certain public parks and recreation areas for a certain purpose; allowing a defendant in a certain prosecution involving drug paraphernalia relating to marijuana to introduce, and requiring the court to consider as a mitigating factor, certain evidence related to medical necessity; establishing certain penalties for a violation of this Act; authorizing a certain unit of government to post certain signs; defining a certain term; and generally relating to drug-free zones.

BY adding to  
Article – Criminal Law  
Section 5–629  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 289 – Senator Ferguson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – National Aquarium Infrastructure**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$4,000,000, the proceeds to be used as a grant to the Board of Directors of the National Aquarium in Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

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

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

### MOTION

Senator Klausmeier moved to suspend Rule 32 to allow **Senate Bills 290 and 291** to be referred to the appropriate committee.

The motion was adopted.

**Senate Bill 290 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

#### **Financial Institutions – Savings Banks – Conversions**

FOR the purpose of providing that a savings bank may convert to a capital stock commercial bank under certain circumstances; requiring the Commissioner of Financial Regulation to adopt regulations governing the conversion of savings banks to capital stock commercial banks; establishing a certain fee for the conversion of a savings bank to a capital stock commercial bank; providing for the construction of this Act; and generally relating to conversions of savings banks.

BY adding to

Article – Financial Institutions

Section 2–108(a)(10) and 4–703

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

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

**Senate Bill 291 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

#### **Unemployment Insurance – Coverage – Victims of Domestic Violence**

FOR the purpose of providing that certain information provided to the Secretary of Labor, Licensing, and Regulation related to whether a claimant for unemployment insurance left employment as a result of domestic violence is confidential and not subject to disclosure except under certain circumstances;

authorizing the Secretary to notify an employing unit in general terms that a claimant has left employment as a result of domestic violence; prohibiting the Secretary from disclosing certain information to an employing unit unless the employing unit provides certain information; requiring the Secretary to take certain action before disclosing certain information to an employing unit; prohibiting an employing unit from disseminating certain information; specifying that certain information related to the status of a claimant or a claimant's immediate family member as a victim of domestic violence is not public information subject to certain disclosure; authorizing the Secretary to adopt certain regulations; prohibiting the Secretary from charging certain unemployment insurance benefits against the earned rating record of an employing unit; authorizing the Secretary to find that a cause of voluntarily leaving employment is good cause if it is directly attributable to the individual or individual's immediate family member being a victim of domestic violence and the individual has a certain reasonable belief and provides certain information; providing for the application of this Act; and generally relating to unemployment insurance coverage for victims of domestic violence.

BY adding to

Article – Labor and Employment

Section 8–105.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 8–611(e) and 8–1001

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

## INTRODUCTION OF BILLS

**Senate Bill 292 – Senators Garagiola, Astle, Benson, Brinkley, Colburn, DeGrange, Dyson, Ferguson, Forehand, Frosh, Glassman, Jacobs, Jennings, Kasemeyer, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, Middleton, Miller, Muse, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Rosapepe, Simonaire, Stone, Young, and Zirkin**

AN ACT concerning

**Education – Veterans of the Afghanistan and Iraq Conflicts Scholarship –  
Extension**

FOR the purpose of extending the date by which the Office of Student Financial Assistance may award an initial Veterans of the Afghanistan and Iraq Conflicts Scholarship; extending the date by which the Office may renew a Veterans of the Afghanistan and Iraq Conflicts Scholarship under certain circumstances; and generally relating to the Veterans of the Afghanistan and Iraq Conflicts Scholarship.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–604  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 293 – Senators Miller, Kittleman, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Ferguson, Forehand, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Klausmeier, Madaleno, Manno, Mathias, McFadden, Montgomery, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Shank, Stone, Young, and Zirkin**

AN ACT concerning

**Education – Core Content Areas – Accountability Program**

FOR the purpose of requiring the State Board of Education and the State Superintendent of Schools to assist each county board of education to establish certain goals and objectives that conform with certain objectives for subject areas that include science and social studies; requiring each public school to survey current student achievement in science and social studies; requiring the State Board and the State Superintendent to design and implement certain assessment programs in certain subjects and requiring the social studies assessment program to provide certain information; requiring certain grade band assessments and end-of-course assessments to be established, implemented, and administered annually at certain levels by a certain school year; requiring county boards of education to include certain information in the boards' comprehensive master plans and updates to the plans; and generally relating to an education accountability program for certain core content areas.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–401(a) and (b)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–401(c) and 7–203  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 294 – Senators Miller, Young, Astle, Benson, Brinkley, Colburn, DeGrange, Dyson, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, Kasemeyer, King, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Reilly, Robey, Shank, and Stone**

AN ACT concerning

**Family Farm Preservation Act of 2012**

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; limiting the Maryland estate tax imposed on certain agricultural property above a certain amount; defining certain terms; 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; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–309  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 295 – Senators Astle, Klausmeier, Miller, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Shank, Stone, Young, and Zirkin**

AN ACT concerning

**Commercial Law – Security Freezes – Minors and Protected Persons**

FOR the purpose of authorizing certain individuals to request a security freeze on the consumer report of certain consumers who are minor children and certain consumers who are individuals under guardianship or conservatorship in accordance with certain procedures; requiring a consumer reporting agency to place a security freeze on certain consumer reports of certain consumers on request of certain individuals and to send certain information to the individuals; authorizing a consumer reporting agency to require certain individuals to confirm a certain request in writing; requiring a consumer reporting agency to create a certain consumer report for a certain consumer under certain circumstances; prohibiting a consumer reporting agency from releasing certain information while a security freeze is in place without certain authorization; authorizing a person who requests access to a consumer report of a certain consumer to treat a certain application as incomplete under certain circumstances; providing for the temporary or permanent removal of a security freeze on a consumer report of a certain consumer in accordance with certain procedures; prohibiting the charging of a fee for imposition of a security freeze on the consumer report of a certain consumer under certain circumstances; requiring a certain notice to contain certain information; altering the application of certain provisions of law; defining a certain term; altering a certain definition; making certain stylistic and conforming changes; and generally relating to consumer reports and security freezes.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–1212.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 296 – Senators Manno, Miller, Astle, Benson, Brinkley, Colburn, Conway, Currie, DeGrange, Edwards, Forehand, Garagiola, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, King, Klausmeier, Mathias, McFadden, Peters, Pipkin, Pugh, Ramirez, Reilly, Robey, Stone, and Young**

AN ACT concerning

### **Income Tax Credit – Security Clearance Expenses**

FOR the purpose of allowing an individual or a corporation to claim a credit against the State income tax for certain costs incurred to obtain federal security clearances; requiring the Department of Business and Economic Development to provide an application process for the credit at least a certain number of times each fiscal year; providing for the total amount of credit certificates that may be issued during a certain application period; providing for the distribution of credit certificates; providing for the carryforward of the credit; providing that

the total amount of credits that may be claimed may not exceed the amount of certificates issued to the individual or corporation; requiring the Department to notify the Comptroller of the maximum amount of each credit certificate; requiring the Comptroller to transfer the amount stated in the credit certificate from a certain Reserve Fund to the General Fund; establishing the Security Clearance Income Tax Credit Reserve Fund as a special, nonlapsing fund; requiring the Secretary of Business and Economic Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Governor to make certain appropriations in certain fiscal years; requiring the Department, in consultation with the Comptroller, to adopt certain regulations; requiring the Department to report to the Governor and the General Assembly on or before a certain date each year; defining certain terms; providing for the application of this Act; and generally relating to a credit against the State income tax for certain costs incurred to obtain federal security clearances.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–204(a) and 10–305(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–204(j) and 10–731  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–305(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

### QUORUM CALL

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

(See Roll Call No. 82)

**ADJOURNMENT**

At 10:27 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 27, 2012.

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**Annapolis, Maryland**  
**Friday, January 27, 2012**  
**11:00 A.M. Session**

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The Senate met at 11:14 A.M.

Prayer by Reverend Tracy Davenport, Harundale Presbyterian Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 26, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Astle, Dyson and Muse be excused from today's session.

**QUORUM CALL**

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

(See Roll Call No. 84)

**INTRODUCTION OF BILLS**

**Senate Bill 297 – Senator Kelley**

AN ACT concerning

**Property and Casualty Insurance – Certificates of Insurance and Certificate of Insurance Forms**

FOR the purpose of prohibiting a person from preparing or issuing or requiring the preparation or issuance of a certificate of insurance unless the certificate of insurance form has been filed with and approved by the Maryland Insurance Commissioner; providing a certain exception; requiring the Commissioner to disapprove a certificate of insurance form or withdraw approval of a certificate of insurance form under certain circumstances; prohibiting a person from altering or modifying a certificate of insurance; requiring the Commissioner to adopt certain regulations; and generally relating to certificates of insurance and certificate of insurance forms.

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 19–116  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 298 – Senators Stone, Brochin, and Klausmeier**

AN ACT concerning

**Criminal Procedure – Discharge from Commitment of Person Previously  
Found Not Criminally Responsible – Judicial Hearing**

FOR the purpose of authorizing a court, under certain circumstances, on its own initiative or on motion of a party, to hold a certain de novo hearing after receiving a report of recommendations from the Office of Administrative Hearings regarding discharge from commitment of a person previously found not criminally responsible; authorizing a court to continue a certain hearing for the purpose of taking additional evidence; requiring a court to determine whether the evidence taken by the court indicates as a matter of fact and law that the committed person proved by a preponderance of the evidence eligibility for release with or without conditions in accordance with a certain provision of law; and generally relating to judicial hearings regarding the release from commitment of persons found not criminally responsible.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 3–114, 3–115, and 3–116  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 3–117 and 3–118  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 299 – Senator Montgomery**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Muslim Community 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 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 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 Budget and Taxation.

**Senate Bill 300 – Senators Young and Brinkley**

AN ACT concerning

**Frederick County – Public Facilities Bonds**

FOR the purpose of authorizing and empowering the County Commissioners of Frederick County, from time to time, to borrow not more than \$100,000,000 in order to finance the cost of certain public facilities in Frederick County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds; 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; providing that such borrowing may be undertaken by Frederick County in the form of installment purchase obligations executed and delivered by Frederick County for the purpose of acquiring agricultural land and woodland preservation easements; and generally relating to the issuance and sale of the bonds by Frederick County.

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

**Senate Bill 301 – Senators Young, Colburn, Forehand, Klausmeier, Madaleno, Mathias, Montgomery, Raskin, Rosapepe, and Stone**

AN ACT concerning

### Maryland Animal Abuse Registry

FOR the purpose of requiring the Department of State Police to establish the Maryland Animal Abuse Registry; requiring the Registry to be updated in a certain manner and to include certain information; requiring a certain person convicted of certain crimes involving animal cruelty to register with the county sheriff within a certain period of time after the conviction; requiring a registrant to provide certain information for registration; requiring the county sheriff to obtain a certain photograph from a person registering under this Act; requiring a registrant to update certain information in a certain manner; establishing that a certain registration shall stay in effect for a certain period of time; requiring the county sheriff to forward certain registration information to the Department of State Police; requiring certain registrants to pay an annual registration fee; requiring a county sheriff to remit certain fees in a certain manner; providing for the funding of the Animal Abuse Registry Fund and how money in the Fund is to be distributed; providing that Registry information is to be made public in a certain manner; providing for an appeal of a certain registration requirement; prohibiting a person subject to registration under this Act from knowingly failing to register or provide accurate information when registering; requiring a certain animal shelter, pet store, or animal breeder in this State to determine whether the name and address of a person seeking to purchase or adopt an animal appears on the Registry; prohibiting a certain animal shelter, pet store, or animal breeder from knowingly offering, selling, delivering, giving, or providing an animal to a person registered on the Registry; establishing penalties for a violation of this Act; defining certain terms; and generally relating to the establishment of an animal abuse registry.

BY adding to

Article – Criminal Procedure

Section 11–1101 through 11–1111 to be under the new subtitle “Subtitle 11.

Maryland Animal Abuse Registry”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

### MOTION

Senator Klausmeier moved to suspend Rule 32 to allow **Senate Bill 302 and Senate Bill 303** to be referred to the appropriate committee.

The motion was adopted.

**INTRODUCTION OF BILLS****Senate Bill 302 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Financial Institutions – Commissioner of Financial Regulation – Investigative and Enforcement Powers and Regulation of Mortgage Lenders**

FOR the purpose of repealing a certain provision of law that prohibits the Commissioner of Financial Regulation from exercising certain investigative and enforcement powers in connection with affiliates of certain financial institutions; repealing a certain provision of law that exempts a person who makes a certain number of mortgage loans per calendar year or brokers no more than one mortgage loan per calendar year from the Maryland Mortgage Lender Law; repealing a certain provision of law that exempts certain subsidiaries and affiliates of certain federal financial institutions and of certain out-of-state banks from the Maryland Mortgage Lender Law; repealing a certain definition; making a stylistic change; providing for a delayed effective date; and generally relating to the investigative and enforcement powers of the Commissioner of Financial Regulation and the regulation of mortgage lenders.

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 2–113 and 11–502  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

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

**Senate Bill 303 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Credit Regulation – Debt Management Services – Agreement and Prohibited Acts**

FOR the purpose of altering a notice that must be included in a debt management services agreement to clarify the right of a party to the agreement to rescind the agreement at any time; prohibiting a licensed debt management services provider from violating any provision of certain federal or State laws; and generally relating to debt management services.

BY repealing and reenacting, with amendments,  
Article – Financial Institutions

Section 12–916(b) and 12–920(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

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

## INTRODUCTION OF BILLS

### **Senate Bill 304 – Senator Miller**

AN ACT concerning

#### **Creation of a State Debt – Calvert County – Chesapeake Beach Skate Park**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of 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 Budget and Taxation.

### **Senate Bill 305 – Senator Ferguson**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Port Discovery**

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

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

### **Senate Bill 306 – Senator Ferguson (By Request – Baltimore City Administration)**

AN ACT concerning

#### **Baltimore City – Vehicle Height Monitoring Systems**

FOR the purpose of authorizing and establishing requirements for the use of certain vehicle height monitoring systems in Baltimore City to enforce certain State and local laws restricting vehicle height; establishing that a vehicle height monitoring system may be used under this Act only if its use is authorized by an ordinance adopted by the Baltimore City Council; requiring Baltimore City to conduct a certain analysis and obtain a certain approval before it places a vehicle height monitoring system at a particular location; requiring Baltimore City to take certain steps related to notice before activating a vehicle height monitoring system; providing that certain persons recorded by a vehicle height monitoring system while operating a motor vehicle or a combination of vehicles in violation of a State or local law restricting vehicle height are subject to certain penalties; establishing a certain maximum fine for a violation of law enforced by means of a vehicle height monitoring system under this Act; requiring the District Court to prescribe a certain citation form and a civil penalty to be indicated on the citation; requiring the Baltimore City Police Department or the Baltimore City Department of Transportation to mail a citation to the owner of a motor vehicle recorded by a vehicle height monitoring system under certain circumstances; requiring a citation to include certain information; authorizing the sending of a warning instead of a citation; requiring a citation to be mailed within certain a period of time; authorizing a person who receives a citation under this Act to pay the civil penalty in a certain manner or to elect to stand trial in the District Court; providing for the admissibility and use of certain evidence; authorizing a person receiving citations to have a certain vehicle height monitoring system operator be present and testify at trial; establishing the standard of proof in a trial for a violation of law enforced by a vehicle height monitoring system under this Act; establishing defenses that the District Court may consider; requiring a person to submit a certain proof in order to demonstrate a certain defense; prohibiting imposition of liability under this Act from being considered for certain purposes; requiring the Chief Judge of the District Court, in consultation with the Baltimore City Police Department, to adopt certain procedures; requiring the Baltimore City Police Department or the Baltimore City Department of Transportation, or a designated contractor, to administer citations issued under this Act in coordination with the District Court; prohibiting the fee of a contractor who operates a vehicle height monitoring system on behalf of Baltimore City to be contingent on the number of citations issued or paid; modifying the jurisdiction of the District Court to include certain proceedings; providing for the handling of certain court costs and penalties; prohibiting the custodian of recorded images produced by a vehicle height monitoring system from allowing inspection of the recorded images, subject to certain exceptions; restricting and providing for the use of certain revenues generated by this Act; defining certain terms; making a stylistic change; and generally relating to imposing liability on certain owners of motor vehicles recorded while being operated in violation of a State or local law restricting vehicle height.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 4–401(13), 7–301(a), 7–302(e), and 10–311  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 11–215(e) and 11–318(e)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–616(o)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 24–111.3  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–401  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 307 – Senators Klausmeier, Colburn, Jones–Rodwell, Madaleno,  
Muse, Raskin, and Stone**

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 each county board of education to implement the financial literacy curriculum content developed by the State Board in certain high schools; requiring students to complete a certain course in order to graduate from high school; and generally relating to the development and implementation of a course in financial literacy 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 2011 Supplement)

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

**Senate Bill 308 – Senators Klausmeier and Young**

AN ACT concerning

**Environment – Radiation Sources – Podiatry Radiation Machines**

FOR the purpose of requiring a State inspector to provide a podiatry office or facility a certain written notice in accordance with certain requirements under certain circumstances; prohibiting the Department of the Environment from imposing a fine on a podiatry office or facility for a certain violation under certain circumstances; providing for the application of this Act; and generally relating to inspections of podiatry radiation machines.

BY repealing and reenacting, without amendments,

Article – Environment  
Section 8–301(a) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Environment  
Section 8–301(e)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 309 – Senators Klausmeier, Currie, Forehand, Kasemeyer, Kelley, Madaleno, Montgomery, Robey, Shank, and Stone**

AN ACT concerning

**Mopeds and Motor Scooters – Titling, Registration, Insurance, and Required Use of Protective Headgear**

FOR the purpose of authorizing a certain insurer to exclude a moped and motor scooter from certain insurance benefits; expanding the pool of vehicles eligible to

be covered by the Maryland Automobile Insurance Fund; requiring a moped or motor scooter in the State to be titled and registered by the Motor Vehicle Administration; requiring an owner or prospective owner of a moped or motor scooter to obtain or maintain certain security; requiring an application for the registration of a moped or motor scooter to be submitted electronically; requiring a licensed dealer of mopeds or motor scooters under certain circumstances to obtain a moped or motor scooter registration application from the owner, collect registration fees, and transmit the application and fees in a certain manner within a certain period of time; providing for the registration classification of mopeds and motor scooters; establishing an annual registration fee and surcharge for mopeds and motor scooters; prohibiting an individual from operating or riding on a moped or motor scooter unless the individual is wearing certain protective headgear and a certain eye-protective device; authorizing the Motor Vehicle Administrator to approve or disapprove certain headgear and eye-protective devices and adopt and enforce certain regulations; requiring the Administrator to publish a certain list; establishing that the failure of certain individuals to wear certain protective headgear or a certain eye-protective device may not be considered certain evidence or diminish the recovery of certain damages; establishing that certain provisions relating to moped and motor scooter headgear and eye-protective devices do not limit certain liabilities or rights; requiring certain procedures in certain civil proceedings; providing that certain vehicle equipment and inspection requirements do not apply to mopeds and motor scooters; altering certain definitions; making certain stylistic changes and technical corrections; and generally relating to mopeds and motor scooters.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–505(c) and 20–501

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11–134.1, 11–134.5, 13–101.1, 13–402(a)(1), 17–104(a) and (b), 21–1207,  
23–101(a), 23–104, 23–107(a)(1), 23–202(a)(1), and 23–206(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–135, 11–176, 13–403, 13–954, 22–101(e)(1), 23–101(i)(3), and  
23–206.2(c)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation  
Section 13–939.3, 21–1306.1, and 23–206.2(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 310 – Senator Reilly**

AN ACT concerning

**Criminal Law – Controlled Dangerous Substances – Synthetic Cannabinoids**

FOR the purpose of listing certain chemical compounds, known as synthetic cannabinoids, on Schedule I for purposes of designating controlled dangerous substances that may not be legally used, possessed, or distributed; and generally relating to synthetic cannabinoids.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–402(d)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 311 – Senators Pugh, Benson, Forehand, King, Klausmeier, Muse, Peters, and Rosapepe**

AN ACT concerning

**Mental Hygiene Administration – State Facilities – Surveillance Cameras**

FOR the purpose of requiring the Mental Hygiene Administration to install and maintain a video surveillance camera system in certain State facilities; requiring that any video surveillance camera system installed and maintained in certain State facilities be used to monitor the activities of certain patients for a certain purpose; and generally relating to surveillance cameras in State facilities under the direction of the Mental Hygiene Administration.

BY adding to  
Article – Health – General  
Section 10–415  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 312 – Senators Pugh, Jones–Rodwell, Klausmeier, Middleton, Muse, Peters, and Rosapepe**

AN ACT concerning

**Education – School Vehicle – On–Board Attendant**

FOR the purpose of prohibiting an individual from serving as a school vehicle on–board attendant, unless the attendant is a certain employee and is in possession of certain identification; authorizing the Motor Vehicle Administration to adopt regulations concerning qualifications of school vehicle on–board attendants with the advice of the State Department of Education; and generally relating to school vehicle on–board attendants.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–816  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 313 – Senators Pugh, Jones–Rodwell, and Robey**

AN ACT concerning

**Baltimore City Board of Liquor License Commissioners – License Renewal Applications – Mandatory Rejection**

FOR the purpose of requiring the Baltimore City Board of Liquor License Commissioners to reject a license renewal application if it is submitted after a certain date; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 10–301(j)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10–301(j)(2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 314 – Senators Pugh, Benson, Forehand, Garagiola, Gladden, Jones–Rodwell, King, Klausmeier, Manno, Muse, Peters, Rosapepe, and Stone**

AN ACT concerning

**State Personnel – Traumatic Events – Mental Health Support Services**

FOR the purpose of requiring a certain unit of State government to make available mental health support services to certain individuals affected by a traumatic event that occurs in a facility of the unit and results in the death of an individual; requiring certain mental health support services to be made available to certain employees for a certain purpose and within a certain period of time; defining a certain term; and generally relating to the provision of mental health support services by units of State government.

BY adding to

Article – State Personnel and Pensions

Section 5–401 to be under the new subtitle “Subtitle 4. Mental Health Services for Traumatic Events”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 315 – Senators Pugh, Benson, Ferguson, King, Klausmeier, Muse, and Peters**

AN ACT concerning

**Council for the Procurement of Health, Educational, and Social Services**

FOR the purpose of establishing the Council for the Procurement of Health, Educational, and Social Services; providing for the composition, chair, and staffing of the Council; requiring the Council to advise the Board of Public Works on a certain task force report and make certain recommendations for the procurement process for health, educational, and social services; requiring the Council to report its activities and recommendations to the General Assembly on or before a certain date each year; and generally relating to the Council for the Procurement of Health, Educational, and Social Services.

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 11–101(a) and (d)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 12–110  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 316 – Senators Pugh, Benson, Forehand, Jones–Rodwell, King, Klausmeier, Manno, Montgomery, Muse, Peters, and Stone**

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 and 2011 Supplement)

BY adding to

Article – Health – General  
Section 19–347.1 and 19–351(e) and (f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 19–351(a)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 317 – Senators Pugh, Ferguson, Gladden, Jennings, King, Madaleno, Manno, Mathias, Montgomery, Raskin, Rosapepe, Shank, and Stone**

AN ACT concerning

**Retail Pet Stores – Sales of Dogs – Required Records, Health Disclosures, and Purchaser Remedies**

FOR the purpose of requiring a retail pet store that sells dogs to post conspicuously on each dog's cage certain information about the dog; requiring a retail pet store to maintain a written record that contains certain information about each dog in the possession of the retail pet store; requiring a retail pet store to maintain a certain record for a certain period of time after the date of sale of a dog; requiring a retail pet store to make certain records available to certain persons and the Department of Labor, Licensing, and Regulation under certain circumstances; requiring a retail pet store to provide a certain written health disclosure to a purchaser; authorizing a purchaser of a dog to seek certain remedies for certain health problems under certain circumstances; requiring a purchaser seeking a remedy under this Act to provide certain notice and information to the retail pet store and to take the dog for certain examinations on request; requiring a certain statement by a veterinarian to contain certain information; establishing criteria for certain veterinary fees to be considered reasonable; requiring the owner or operator of a retail pet store to make a certain reimbursement within a certain period of time; providing that a purchaser is not entitled to a remedy under this Act under certain circumstances; authorizing a retail pet store to contest a remedy under this Act in a certain manner; authorizing a contested remedy to be resolved in a certain manner; authorizing a court or arbiter to require a party acting in bad faith to pay reasonable attorney's fees and court costs of the adverse party; requiring a retail pet store to conspicuously post a certain notice of purchaser's rights under this Act; requiring a retail pet store to provide a written notice of purchaser's rights under this Act at a certain time in a certain manner; requiring a retail pet store that makes a certain representation related to a dog's registration to provide a certain notice to a purchaser at the time of the sale in a certain manner; prohibiting a retail pet store from making certain statements, promises, or representations related to a dog's registration unless the retail pet store provides certain documents to the purchaser within a certain period of time; authorizing a purchaser to seek a certain remedy if a retail pet store does not provide certain documents under certain circumstances; establishing civil penalties for a first or subsequent violation of this Act; establishing that this Act does not limit certain rights or remedies, the ability to agree to certain

additional terms and conditions, or the ability of the State or a local government to prosecute a retail pet store for any other violation of laws; defining certain terms; and generally relating to required records, health disclosures, and purchase remedies related to dog sales by retail pet stores.

BY adding to

Article – Business Regulation

Section 19–701 through 19–708 to be under the new subtitle “Subtitle 7. Retail Pet Stores”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 318 – Senators Dyson and Colburn**

AN ACT concerning

#### **Natural Resources Police Force – Number of Officers**

FOR the purpose of stating the intent of the General Assembly that the Natural Resources Police Force employ a certain number of Natural Resources police officers by a certain date; authorizing under certain circumstances, beginning in a certain fiscal year and continuing each subsequent year, the Natural Resources Police Force to increase the number of cadets and recruits enrolling in the Maryland Natural Resources Police Academy until the size of the force is sufficient to meet a certain mission of the Department; requiring the Natural Resources Police Force to provide certain reports to the General Assembly on or before certain dates; and generally relating to the Natural Resources Police Force.

BY adding to

Article – Natural Resources

Section 1–201.2

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 319 – Senators Young and Brinkley**

AN ACT concerning

#### **Frederick County – Slot Machines for Nonprofit Organizations**

FOR the purpose of adding Frederick 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 Frederick County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

### **Senate Bill 320 – Senator Young**

AN ACT concerning

#### **Frederick County Board of Education – Membership and Employment**

FOR the purpose of repealing a certain provision of law prohibiting certain individuals in Frederick County from being elected to or serving on the county board of education; repealing a certain provision of law prohibiting certain individuals in Frederick County from being hired as an administrator or a teacher under certain circumstances; and generally relating to certain individuals who may serve on and may be hired by the Frederick County Board of Education.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 3–5B–01(a) and (b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Education  
Section 3–5B–02  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY renumbering  
Article – Education  
Section 3–5B–03, 3–5B–04, and 3–5B–05, respectively  
to be Section 3–5B–02, 3–5B–03, and 3–5B–04, respectively  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 321 – Senators Young and Brinkley**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Licensed Restaurants – Removal of Tables and Chairs for Expanded Occupancy**

FOR the purpose of authorizing in Frederick County a restaurant for which a Class B beer, wine and liquor license is issued to remove its tables and chairs to accommodate additional patrons at a certain number of special events in a year; requiring that a restaurant that removes its tables and chairs give notice to the Board of License Commissioners not less than a certain time before the event; requiring the removed tables and chairs to be stored in a certain manner; prohibiting a restaurant from allowing entry to more than the maximum number of occupants that the County Fire Marshal allows; and generally relating to restaurants for which an alcoholic beverages license is issued in Frederick County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages  
Section 6–201(a)(1) and (l)(1) and (2)(iii)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to

Article 2B – Alcoholic Beverages  
Section 6–201(l)(2)(iv)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 322 – Senators Young and Brinkley**

AN ACT concerning

**Frederick County – Election Law – Early Voting Centers**

FOR the purpose of requiring Frederick County to have at least one early voting center established in the county if the county has fewer than a certain number of registered voters; authorizing the county to have a certain number of additional early voting centers if the county commissioners provide funding and the county has fewer than a certain number of registered voters; and generally relating to the establishment of early voting centers in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 323 – Senator Manno**

AN ACT concerning

**Income Tax – Rate Increase and Personal Exemption Reduction**

FOR the purpose of altering the State income tax rate on certain income of individuals; altering the amount allowed as a deduction for certain exemptions under the Maryland income tax; altering the amount that must be withheld from certain payments; requiring the Comptroller to waive certain interest and penalties for a certain calendar year to a certain extent; repealing an obsolete provision; providing for the application of this Act; making this Act contingent on the taking effect of another Act; and generally relating to altering the calculation of the State income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(a), 10–211, and 10–908(e) and (f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 324 – Senators Young, Reilly, Brinkley, Colburn, Edwards, Forehand, Garagiola, Glassman, Jacobs, Jennings, Kasemeyer, Kittleman, Klausmeier, Mathias, Middleton, Miller, Pipkin, Robey, Shank, and Simonaire**

AN ACT concerning

**Estate Tax – Exclusion of 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; limiting the Maryland estate tax imposed on certain agricultural property above a certain amount; defining certain terms; 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; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–309  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 325 – Senator Colburn**

AN ACT concerning

#### **Regional Mass Transit Account**

FOR the purpose of increasing the sales and use tax rate in Anne Arundel County, Baltimore City, Baltimore County, Montgomery County, and Prince George’s County by a certain amount; creating the Regional Mass Transit Account in the Transportation Trust Fund to pay the cost of transit facilities and transit service in Anne Arundel County, Baltimore City, Baltimore County, Montgomery County, and Prince George’s County; requiring that revenue from the increase in the sales and use tax rate under this Act be credited to the Regional Mass Transit Account; altering the percentage of gross receipts from vending machine sales to which the sales and use tax rate applies in Anne Arundel County, Baltimore City, Baltimore County, Montgomery County, and Prince George’s County; and generally relating to increasing the sales and use tax rate in Anne Arundel County, Baltimore City, Baltimore County, Montgomery County, and Prince George’s County and dedicating the revenue to mass transit.

BY adding to  
Article – Tax – General  
Section 2–1302.2 and 11–104(a–1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 11–104(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1303, 11–104(b), (d), and (f)(2) and 11–301

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 3–216(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 7–309  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 326 – Senator DeGrange**

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Anne Arundel County –  
Benson–Hammond House**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to alter the requirement that the Board of Directors of the Anne Arundel County Historical Society, Inc. provide a certain matching fund; requiring the Board of Public Works to expend or encumber a certain grant by a certain date; making this Act an emergency measure; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2005.

BY repealing and reenacting, with amendments,  
Chapter 445 of the Acts of the General Assembly of 2005, as amended by  
Chapter 707 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(K)

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

**Senate Bill 327 – Senator McFadden**

AN ACT concerning

**Baltimore City – 45th Legislative District – Liquor Stores – Premises Near  
Places of Worship or Schools**

FOR the purpose of increasing the distance that liquor stores in the 45th Legislative District in Baltimore City are required to be from places of worship or schools; providing for the application of this Act; and generally relating to the distance that liquor stores are required to be from places of worship or schools in the 45th Legislative District in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–204.3  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 328 – Senator McFadden**

AN ACT concerning

**Baltimore City – 45th Legislative District – Alcoholic Beverages – Landlords –  
Licensed Premises**

FOR the purpose of making it a misdemeanor in the 45th Legislative District in Baltimore City for a landlord to rent out a premises to be used for the sale of alcoholic beverages by a holder of a Class A alcoholic beverages license if the landlord knows or has reason to know that the use would violate a certain minimum distance requirement between a licensed premises and a place of worship or school; providing for the application of this Act; providing a penalty; and generally relating to the sale of alcoholic beverages in the 45th Legislative District in Baltimore City.

BY adding to  
Article 2B – Alcoholic Beverages  
Section 16–509.1  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 329 – Senators Ferguson, Gladden, Jones–Rodwell, Madaleno,  
Montgomery, Ramirez, and Rosapepe**

AN ACT concerning

**Education – Parent–Teacher Meetings – Unpaid Leave**

FOR the purpose of authorizing an employee to use unpaid leave to attend a parent–teacher meeting; requiring an employee to notify the employer a certain number of days before the employee will use unpaid leave to attend a parent–teacher meeting; prohibiting an employee who uses unpaid leave under this Act from using more than a certain number of hours per parent–teacher meeting and using unpaid leave more than a certain number of times per each half of an academic year; authorizing an employer to require certain evidence under certain circumstances; providing for the construction of this Act; defining certain terms; and generally relating to parent–teacher meetings.

BY adding to

Article – Education

Section 1–301 to be under the new subtitle “Subtitle 3. Parent–Teacher Meetings”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 330 – Senators Glassman, Astle, Brinkley, Colburn, Edwards, Jacobs, Jennings, Kittleman, Montgomery, and Shank**

AN ACT concerning

**Agriculture – Total Maximum Daily Load – Regulations**

FOR the purpose of prohibiting the Department of Agriculture, the Department of the Environment, and the Department of Natural Resources from adopting certain regulations unless certain states achieve or exceed certain percentage reductions of certain nutrients that the State has achieved under certain circumstances; and generally relating to the Total Maximum Daily Load for the Chesapeake Bay and the agricultural sector.

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 8–803.9

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 331 – Senators Edwards, Glassman, and Shank**

AN ACT concerning

**Manufactured Homes – Sprinkler System Requirement – Opt-Out Provisions  
for Local Jurisdictions**

FOR the purpose of authorizing local jurisdictions to adopt a certain local amendment to allow certain manufactured homes to opt-out of certain sprinkler requirements if the local jurisdiction has adopted a local amendment to the Maryland Building Performance Standards that allows buildings and structures to opt-out of certain sprinkler requirements; providing for the applicability of a certain local amendment; providing that a certain local amendment prevails if there is a conflict with a certain building code; requiring a local jurisdiction to ensure that a certain local amendment is adopted in accordance with applicable local law; defining certain terms; and generally relating to requirements in local jurisdictions for sprinkler systems in manufactured homes.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 12–301(a), (b), and (g) and 12–303  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–305(d)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Public Safety  
Section 12–305(e)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 332 – Senator Edwards**

AN ACT concerning

**Family Security Trust Fund – Requirement to Transfer Interest to the  
General Fund – Exemption**

FOR the purpose of exempting the Family Security Trust Fund from a certain requirement that certain interest accrue to the General Fund; and generally relating to an exemption for the Family Security Trust Fund from the requirement to transfer interest to the General Fund.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 333 – Senator Edwards**

AN ACT concerning

#### **Garrett County – Hotel Rental Tax Rate**

FOR the purpose of altering the maximum hotel rental tax rate in Garrett County;  
and generally relating to the hotel rental tax rate in Garrett County.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–304(b)(8)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

### **Senate Bill 334 – Senator Zirkin**

AN ACT concerning

#### **Family Law – Grounds for Divorce**

FOR the purpose of providing that for purposes of granting a limited or an absolute  
divorce, parties shall be considered to be living separate and apart without  
cohabitation even if the parties share living expenses and a residence, as long as

the parties maintain separate bedrooms; and generally relating to the grounds for a limited or 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 2011 Supplement)

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

### MOTION

Senator Klausmeier moved to suspend Rule 32 to allow **Senate Bill 335** to be referred to the appropriate committee.

The motion was adopted.

**Senate Bill 335 – Chair, Budget and Taxation Committee (By Request – Judicial Compensation Commission)**

AN ACT concerning

#### **Judges’ Retirement System – Contribution Rates for New Members**

FOR the purpose of altering the rate of member contributions for individuals who become members of the Judges’ Retirement System on or after a certain date; and generally relating to the Judges’ Retirement System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 27–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### INTRODUCTION OF BILLS

**Senate Bill 336 – Senator Conway**

AN ACT concerning

#### **Juvenile Services – State–Owned Facilities – Repeal of 48–Bed Limit**

FOR the purpose of repealing a provision of law that provides that each committed facility owned by the Department of Juvenile Services serves no more than a certain number of children at one time; 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 2011 Supplement)

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

### **Senate Bill 337 – Senator Conway**

AN ACT concerning

#### **State Board of Nursing – Nurses, Nursing Assistants, Medication Technicians, and Electrologists – Licensure and Certification Requirements**

FOR the purpose of requiring certain prosecutions for certain offenses relating to the licensing of nurses and electrologists to be instituted within a certain period of time after which the offense was committed; exempting individuals who provide certain care from the requirement that an individual must be licensed or certified before practicing certain health occupations; exempting individuals who respond to certain disaster situations from the requirement that an individual must be licensed before practicing registered nursing or licensed practical nursing in the State under certain circumstances; requiring certain nurses with multistate licensing privileges to hold a license in a certain home state in accordance with the Nurse Multistate Licensure Compact; establishing certain qualifications for applicants of a certificate to practice registered nursing as a certain advanced practice nurse; prohibiting certain individuals from practicing a certain type of nursing or using a certain title under certain circumstances; repealing a certain provision of law allowing certain applicants to submit evidence of completion of certain criminal history records checks through other state boards of nursing; requiring certain applicants to submit certain evidence and information to the State Board of Nursing as part of an application for licensure; prohibiting certain applicants from being entitled to be examined in the State for a license as a registered nurse or as a licensed practical nurse; altering a certain requirement for certain applicants to participate in a certain preceptorship program; authorizing the Board to issue certain licenses by endorsement; repealing certain requirements for the publication of notice of certain revocations or suspensions; repealing a certain requirement that to qualify as a certain skilled nursing assistant, an applicant must meet certain requirements; prohibiting certain individuals from practicing, attempting to practice, or offering to practice advanced practice

nursing or electrology unless licensed by the Board; authorizing the Board to issue certain orders, impose certain fines, or seek certain relief; specifying that certain offenses are separate violations under certain circumstances; requiring the Board to pay certain money to the Comptroller; requiring the Comptroller to distribute certain money to the Board of Nursing Fund; authorizing the Board to refer certain cases to the Central Collection Unit of the Department of Budget and Fiscal Planning to institute and maintain certain proceedings; authorizing certain actions for injunctive relief to be brought by certain entities for certain purposes under certain circumstances in certain counties; providing that a person who violates certain provisions of law is guilty of a misdemeanor and on conviction is subject to a certain fine; providing for a certain exception to a violation of certain provisions of law; making certain technical corrections; defining certain terms; and generally relating to the licensure, certification, and penalties for violations of the laws and regulations that govern nurses, nursing assistants, medication technicians, and electrologists.

BY adding to

Article – Courts and Judicial Proceedings  
Section 5–106(bb)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 8–101, 8–301, 8–302, 8–304, 8–305, 8–307, 8–6A–02, 8–6A–05(b) and  
(c), 8–6A–08(b) and (k)(1), 8–6A–10(e), 8–6B–11, 8–701, and 8–710  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing

Article – Health Occupations  
Section 8–316(d) and 8–6A–10(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations  
Section 8–708 and 8–709  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 338 – Senator Simonaire**

AN ACT concerning

**Vehicle Laws – Learner’s Permit Holders – Additional Sanctions for Moving Violations**

FOR the purpose of establishing certain sanctions applicable to certain holders of learner’s instructional permits who commit moving violations; specifying that the sanctions established under this Act are in addition to any other penalty or sanction that might apply as a result of a moving violation; defining a certain term; and generally relating to sanctions for moving violations committed by holders of learner’s instructional permits.

BY adding to

Article – Transportation

Section 16–214

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**INTRODUCTION OF JOINT RESOLUTIONS**

**Senate Joint Resolution 3 – Chair, Budget and Taxation Committee (By Request – Judicial Compensation Commission)**

A Senate Joint Resolution concerning

**Judicial Compensation Commission – Recommendations**

FOR the purpose of 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 Budget and Taxation and the Committee on Judicial Proceedings.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 287 – Senators Jennings and Shank**

AN ACT concerning

**Family Investment Program – Eligibility – Drug Testing**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

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

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

**Senate Bill 33 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor  
Licenses – Clubs**

**SB0033/484739/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 33  
(First Reading File Bill)

On page 1, in line 4, after “of” insert “updating certain obsolete language by authorizing a certain organization to obtain a certain license from the County Council of Dorchester County under certain circumstances:”.

On page 3, in line 18, strike “Commissioners” and substitute “COUNCIL”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 34 – Senator Colburn**

AN ACT concerning

**Talbot County – Zoning Regulations – Enforcement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 37 – Senator Colburn**

AN ACT concerning

**Dorchester County – Water and Sewer Service – Late Fees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 44 – Senator Colburn**

AN ACT concerning

**Dorchester County – Bay Restoration Fund – Collection of Restoration Fee**

**SB0044/354137/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 44

(First Reading File Bill)

On page 1, in line 3, strike “Commissioners” and substitute “Council”.

On page 2, in line 17, strike “COMMISSIONERS” and substitute “COUNCIL”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 45 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcohol Awareness Program – Certificate of Completion**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 85)

**ADJOURNMENT**

At 11:39 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 30, 2012, in memory of Jedan Paul Phillips.

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**Annapolis, Maryland**  
**Monday, January 30, 2012**  
**8:00 P.M. Session**

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The Senate met at 8:04 P.M.

Prayer by Reverend Stanislao Esposito, St. Mary Star of the Sea Catholic Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

The Journal of January 27, 2012 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 87)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 172 – Senator Jim Rosapepe:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
The University of Maryland Watershed Team  
in recognition of  
its outstanding victory in the  
U.S. Department of Energy Solar Decathlon 2011.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 30th day of January 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 88)

**INTRODUCTION OF BILLS**

**Senate Bill 339 – Senators Raskin, Currie, Forehand, King, Madaleno, Montgomery, and Rosapepe**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Elective Franchise – Registration and Voting at Early Voting 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 certain days before election day at certain polling places; making a stylistic change; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article I – Elective Franchise  
Section 1 and 2

BY proposing an addition to the Maryland Constitution  
Article I – Elective Franchise  
Section 2A

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

**Senate Bill 340 – Senator Raskin**

AN ACT concerning

**Vehicle Laws – Stopping, Standing, and Parking – Plug-In Vehicles**

FOR the purpose of prohibiting a person from stopping, standing, or parking a vehicle that is not a plug-in vehicle in a space that is marked for the use of plug-in vehicles and provides access to a plug-in vehicle recharging station; defining a certain term; and generally relating to a prohibition against stopping, standing, or parking nonplug-in vehicles in certain spaces.

BY adding to  
Article – Transportation  
Section 11-145.1 and 21-1003(ff)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 341 – Senators Raskin, Colburn, Currie, Forehand, King,  
Montgomery, Pinsky, Rosapepe, and Zirkin**

AN ACT concerning

**Election Law – Subsequent Election Absentee Ballot List**

FOR the purpose of requiring the State Board of Elections to establish guidelines for a subsequent election absentee ballot list; requiring that a voter who receives an absentee ballot be provided the opportunity to request an absentee ballot for the next subsequent election in certain materials accompanying the absentee ballot; requiring that a voter who requests an absentee ballot for the next subsequent election be placed on the subsequent election absentee ballot list; requiring that an absentee ballot be sent to a voter on the subsequent election absentee ballot list for certain elections; requiring that a voter be removed from the subsequent election absentee ballot list under certain circumstances; requiring a voter who requests an absentee ballot for the next subsequent election to notify the local board with certain information under certain circumstances; and generally relating to the subsequent election absentee ballot list.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 9–303

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law

Section 9–304

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Election Law

Section 9–305.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 342 – Senator Young**

AN ACT concerning

**Nuclear Power Plant Citizens Oversight Committee**

FOR the purpose of requiring the Governor to appoint a Nuclear Power Plant Citizens Oversight Committee; requiring the Governor to determine the terms and qualifications of members of the Oversight Committee and to designate a chair of the Oversight Committee; requiring the Oversight Committee to be composed of a certain number of members, including a certain number of local residents; establishing the duties of the Oversight Committee; defining a certain term; and generally relating to oversight of nuclear power plants.

BY adding to

Article – Natural Resources

Section 3–308

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 343 – Senators Pugh, Benson, Conway, Forehand, Gladden, Jones–Rodwell, Kelley, King, McFadden, Montgomery, Muse, Peters, Ramirez, Raskin, and Rosapepe**

AN ACT concerning

**State Government – Brokerage and Investment Management Services – Use of Minority Business Enterprises – Application**

FOR the purpose of making certain additional State units that are responsible for the management of certain funds subject to the requirements under current law that are already applicable to certain units concerning the use of certain minority business enterprise brokerage and investment services firms; specifying that a certain annual report that must be submitted to the Governor and the General Assembly by all of the units that are subject to the minority business enterprise brokerage and investment services firm requirements include diversity information concerning brokerage and investment management services firms in all allocated asset classes; and generally relating to the use of minority business enterprise brokerage and investment management services firms for certain purposes by certain State units.

BY repealing and reenacting, without amendments,

Article 95 – Treasurer

Section 22G(a), (b), (h), and (j)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 14–102

Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY adding to

Article – Economic Development  
Section 14–103  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 14–103  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY adding to

Article – Education  
Section 11–1001 and the new subtitle “Subtitle 11. Use of Minority Business  
Enterprises for Brokerage and Investment Management Services”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Housing and Community Development  
Section 4–501.1  
Annotated Code of Maryland  
(2006 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 20–303  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 10–122  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 6–222  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding

Article – State Finance and Procurement  
Section 14–306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–116  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 35–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 344 – Senator Middleton**

AN ACT concerning

#### **Health Occupations – Dental Hygienists – Local Anesthesia**

FOR the purpose of authorizing a dental hygienist to administer certain local anesthesia by inferior alveolar nerve block under certain circumstances; requiring a dental hygienist to complete certain education and examination requirements before performing certain functions; requiring a dental hygienist to obtain certain education from an accredited dental hygiene program; requiring a dental hygienist who completed certain requirements before a certain date to take and complete a certain course and clinical examination; authorizing the State Board of Dental Examiners to adopt certain regulations; altering a certain definition; and generally relating to the administration of local anesthesia by dental hygienists.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 4–101(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 4–101(k) and 4–205(a)(1)  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 4–206.3

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 345 – Senator Glassman**

AN ACT concerning

**Environment – Water and Sewer Authorities – Number of Directors**

FOR the purpose of altering the apportionment of the number of directors between or among member political subdivisions required for a water and sewer authority; making stylistic changes; and generally relating to water and sewer authorities.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–915

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 346 – Senators Glassman and Jacobs**

AN ACT concerning

**Harford County – Deer Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person in Harford County to hunt deer on certain Sundays on private property using certain hunting equipment during certain months; and generally relating to 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 2011 Supplement)

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

**Senate Bill 347 – Senator Klausmeier (By Request – Baltimore County Administration)**

AN ACT concerning

**Vehicle Laws – Registration Plates for Individuals with Disabilities –  
Parking in Baltimore County**

FOR the purpose of authorizing an individual for whom special registration plates for individuals with disabilities are issued to park in a designated zone for the handicapped established by Baltimore County on any county road, subject to a certain restriction; making a stylistic change; and generally relating to parking in Baltimore County and special registration plates for individuals with disabilities.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–616(f)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 348 – Senator Gladden**

AN ACT concerning

**Voter’s Rights Protection Act of 2012**

FOR the purpose of authorizing the Attorney General to institute an action in a circuit court for injunctive relief to prohibit a person from engaging in or continuing to engage in certain violations of election law; providing that injunctive relief may be granted under this Act only to prevent certain violations of election law from affecting a pending election; requiring a circuit court to hear and determine an action filed under this Act as soon as practicable; 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 over 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 injunctive relief for certain election law violations.

BY repealing and reenacting, without amendments,  
Article – Election Law

Section 16–201  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Election Law  
Section 16–1003  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 349 – Senators Gladden and Conway**

AN ACT concerning

**Election Law – Petitions – Prohibited Actions**

FOR the purpose of prohibiting a person from willfully and knowingly obtaining or attempting to obtain a signature on a petition by certain means; prohibiting a person from willfully and knowingly preventing, hindering, or delaying another person from signing a petition by certain means; and generally relating to prohibited actions relating to petitions.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 16–401  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 350 – Senator Conway**

AN ACT concerning

**Respiratory Care Practitioners – Practicing Polysomnography – Licensing Exceptions**

FOR the purpose of providing that a licensed respiratory care practitioner has the right to practice respiratory care within the scope of practice of the respiratory care practitioner's license, including practicing respiratory care in a sleep laboratory; providing that the licensing requirements to practice polysomnography do not apply to a certain respiratory care practitioner licensed by the State Board of Physicians on or before a certain date; and generally

relating to licensing exceptions to the practice of polysomnography by respiratory care practitioners.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–5C–02 and 14–5C–08  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 351 – Senators Forehand, Madaleno, and Rosapepe**

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 to 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 a 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 to 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 2011 Supplement)

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

**Senate Bill 352 – Senators Forehand and Raskin**

AN ACT concerning

**National Human Trafficking Resource Center Hotline Information – Sign Posting Requirements**

FOR the purpose of requiring the business owner of a privately owned bus station or truck stop located in the State to post in restrooms in a certain manner a certain sign that provides National Human Trafficking Resource Center Hotline information; requiring a certain agency that determines a certain violation has occurred to provide a certain notice to the business owner of a bus station or truck stop or the business owner's agent; subjecting a business owner of a bus station or truck stop that violates the sign posting requirement to a certain civil penalty if certain signs are not posted within a certain period of time after the business owner receives a certain notice; specifying that, for each restroom in which the business owner fails to post a sign in accordance with this Act, the business owner is subject to a separate civil penalty; requiring the State Highway Administration to post in a certain manner a certain sign that provides National Human Trafficking Resource Center Hotline information in the restrooms at rest areas within the right-of-way of any interstate or State highway; defining a certain term; and generally relating to sign posting requirements for National Human Trafficking Resource Center Hotline information.

BY adding to

Article – Business Regulation  
Section 19–103  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation  
Section 8–655  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 353 – Senator Forehand**

AN ACT concerning

**Estates – Small Estate Administration – Eligibility Thresholds**

FOR the purpose of altering the maximum value of property of certain decedents that may be eligible to be administered as a small estate; altering the value of

property discovered after filing a certain petition that requires removing an estate from small estate administration; altering the fee schedule for certain small estates; clarifying language; making stylistic changes; providing for the application of this Act; and generally relating to small estate administration.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 5–601, 5–605, and 5–606  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

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

**Senate Bill 354 – Senators Jones–Rodwell, McFadden, and Pugh**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Beer, Wine, and Liquor Tasting Licenses**

FOR the purpose of establishing a beer, wine, and liquor tasting license in certain wards and precincts of certain legislative districts in Baltimore City to allow holders of certain licenses to hold tastings daily throughout the year; establishing a certain license fee; making certain technical changes; and generally relating to beer, wine, and liquor tastings in certain wards and precincts in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–403.2  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 355 – Senator Jones–Rodwell**

AN ACT concerning

**Creation of a State Debt – Baltimore City – PMO Community Youth 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 Payne Memorial Outreach, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for

sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 356 – Senator Jones–Rodwell**

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 \$500,000, the proceeds to be used as a grant to the Academy of Success, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 357 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Medical Board Participation**

FOR the purpose of authorizing the Board of Trustees of the State Retirement and Pension System to appoint a physician who is a participating employee in the Optional Retirement Program to serve on a medical board, subject to a certain condition; prohibiting a medical board physician who is a participating employee in the Optional Retirement Program from participating in certain cases under certain circumstances; and generally relating to the appointment of medical boards for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–126  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

## MOTION

Senator Klausmeier moved to suspend the Rule 32 to allow **Senate Bill 358** to be referred to the appropriate committee.

The motion was adopted.

## INTRODUCTION OF BILLS

**Senate Bill 358 – The President (By Request – Administration) and Senators Colburn, Currie, DeGrange, Garagiola, Kasemeyer, King, Madaleno, Manno, McFadden, Middleton, Peters, Pugh, and Rosapepe**

AN ACT concerning

### **Public–Private Partnerships**

FOR the purpose of establishing the policy of the State on public–private partnerships; altering provisions of law relating to public–private partnerships; authorizing a certain agency to establish a public–private partnership and execute a partnership agreement in connection with certain functions, services, or assets; requiring a certain agency to adopt certain regulations and establish certain processes for the development, solicitation, evaluation, award, and delivery of public–private partnerships; requiring certain legislative committees to review and comment on certain processes and regulations; requiring certain agencies to submit, on or before a certain date each year, certain reports to certain legislative committees; establishing certain requirements for certain reports; establishing deadlines for the review of certain presolicitation reports; requiring certain agencies to comply with certain requirements before issuing a solicitation for a public–private partnership; requiring a certain agency to make a certain responsibility determination concerning certain entities; requiring a certain agency to submit certain reports to certain officials and committees; prohibiting the Board of Public Works from approving a public–private partnership agreement until the completion of certain review by certain officials and committees; establishing deadlines for the review of public–private partnership agreements; requiring a certain agency to post a certain agreement on a certain Web site; requiring certain entities to provide performance bonds; prohibiting a public–private partnership agreement from exceeding a certain number of years, with certain exceptions; prohibiting noncompete agreements for certain assets; authorizing the award of certain compensation under certain circumstances; establishing certain requirements for a final public–private partnership agreement; requiring certain proceeds to accrue to certain funds; requiring a certain agency to post on the Internet a certain final agreement; authorizing a certain agency to establish by regulation certain application fees for certain unsolicited proposals; establishing certain requirements for certain unsolicited proposals; providing that certain provisions of the State ethics law

do not preclude a certain individual or firm from entering into a certain agreement; exempting public-private partnerships from certain requirements of the State procurement law; repealing certain obsolete provisions; defining a certain term; altering certain definitions; providing for the application of this Act; and generally relating to public-private partnerships.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 10A-101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – State Finance and Procurement  
Section 10A-102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 10A-102 through 10A-104 to be under the new subtitle “Subtitle 1. Definitions; General Provisions”; 10A-201 through 10A-204 to be under the new subtitle “Subtitle 2. Solicited Proposals”; 10A-301 to be under the new subtitle “Subtitle 3. Unsolicited Proposals”; 10A-401 and 10A-402 to be under the new subtitle “Subtitle 4. Public-Private Partnership Agreements”; and 11-203(h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Transportation  
Section 4-205 and 4-406  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

## INTRODUCTION OF BILLS

**Senate Bill 359 – Senators Shank, Forehand, Jacobs, Ramirez, and Raskin**

AN ACT concerning

**Domestic Violence – Persons Eligible for Relief and Orders to Vacate Home**

FOR the purpose of altering, for purposes of certain provisions of law relating to domestic violence, the definition of “person eligible for relief” to include an individual involved in a certain intimate dating relationship with a certain respondent and an individual who has had a sexual relationship with a certain respondent; establishing that a final protective order may order the respondent to vacate the home immediately and award temporary use and possession of the home to the person eligible for relief or, in certain instances, to an adult living in the home, if neither the person eligible for relief nor the respondent has lived in the joint residence for at least a certain period of time; and generally relating to domestic violence.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–501(m) and 4–506(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 360 – Senator Shank**

AN ACT concerning

#### **State Highway Administration – Signs on Highway Rights-of-Way – Permits**

FOR the purpose of establishing that a certain prohibition relating to the placement and maintenance of signs on State highway rights-of-way does not apply to a sign for which a certain permit has been issued; authorizing the State Highway Administration to issue a certain permit for a sign located within a State highway right-of-way under certain circumstances; and generally relating to permits for signs on State highway rights-of-way.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–605(f) and 8–715  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 361 – Senator Shank**

AN ACT concerning

#### **Real Property – Residential Leases – Interest on Security Deposits**

FOR the purpose of altering the interest rate paid on a security deposit under a residential lease at the end of a tenancy; altering the interest rate paid on a security deposit under a residential lease when an evicted or ejected tenant makes a timely written demand for return of the security deposit; requiring the Department of Housing and Community Development to maintain a certain list on its Web site; providing for the application of this Act; providing for a delayed effective date; and generally relating to the interest paid on security deposits under residential leases.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–203(e) and (h)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 8–203(k)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 362 – Senators Pugh, Benson, Conway, Currie, Forehand,  
Garagiola, Jones–Rodwell, Madaleno, McFadden, and Stone**

AN ACT concerning

**Education – Age for Compulsory Public School 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 for compulsory public school attendance.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–301  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 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 2011 Supplement)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 363 – Senators Pugh, Gladden, and Jones–Rodwell**

AN ACT concerning

**Baltimore City – Park Heights Redevelopment Area – Alcoholic Beverages –  
Store Closing Hours**

FOR the purpose of altering the time at which establishments issued certain Class A alcoholic beverages licenses in the Park Heights Redevelopment Area in Baltimore City must stop selling alcoholic beverages; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 11–302(a)(1) and 11–303(a)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–302(a)(2) and 11–303(a)(2)(ii)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 364 – Senator Ferguson**

AN ACT concerning

**Loan Assistance Repayment Program – Nancy Grasmick Teacher Grant**

FOR the purpose of establishing the Nancy Grasmick Teacher Grant in the Janet L. Hoffman Loan Assistance Repayment Program in the State; requiring the Office of Student Financial Assistance to assist in the repayment of certain higher education loans owed by certain individuals who receive certain degrees from certain institutions of higher education in the State or out of the State; requiring the Office to assist in the repayment of the amount of any higher education loan owed by certain public school teachers in the State who teach certain subjects or teach in certain schools for a certain amount of time;

requiring certain funds to be used to implement this Act; making this Act subject to a certain contingency; providing for the application of this Act; and generally relating to the creation of the Nancy Grasmick Teacher Grant in the Loan Assistance Repayment Program.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 18–1501, 18–1503, 18–1504, and 18–1505  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–1502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 365 – Senators Garagiola, Astle, Benson, Colburn, Currie, DeGrange, Dyson, Ferguson, Forehand, Frosh, Glassman, Jennings, Kasemeyer, King, Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pipkin, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, Young, and Zirkin**

AN ACT concerning

### **Higher Education – Volunteer Firefighters Scholarship**

FOR the purpose of establishing the Volunteer Firefighters Scholarship; establishing certain eligibility requirements for a scholarship; authorizing the use of a scholarship for certain educational expenses; prohibiting the annual amount of a scholarship from exceeding a certain percentage of the equivalent tuition and certain fees of a certain institution of higher education; requiring a scholarship recipient to maintain a certain grade point average; providing for the duration of the scholarship; requiring scholarship recipients to file for certain federal and State financial aid by a certain date; authorizing legislative scholarship funds to be used for certain purposes; providing that funds for the scholarship are as provided in a certain annual budget by the Governor; establishing a Volunteer Firefighters Scholarship Fund in the Higher Education Commission; directing the Commission to use certain gifts and grants for the Fund in a certain manner; requiring the Commission to prepare a certain annual report regarding the Fund; and generally relating to the establishment of the Volunteer Firefighters Scholarship.

BY adding to

Article – Education  
Section 18–605  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 366 – Senator Stone**

AN ACT concerning

**Criminal Law – Unnatural and Perverted Sexual Practices – Animals**

FOR the purpose of reclassifying certain unnatural or perverted sexual practices with an animal as a felony; and generally relating to unnatural and perverted sexual practices.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–322  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 367 – Senator Stone**

AN ACT concerning

**State Retirement and Pension System – Transfer of Service Credit**

FOR the purpose of providing that certain members of the Employees' Pension System may transfer certain service credit from the State Contributory Law Enforcement Officers' Modified Pension Benefit in a certain manner; providing that certain members of the Employees' Pension System who transfer certain service credit from the State Contributory Law Enforcement Officers' Modified Pension Benefit are not responsible for the payment of certain contributions and interest for certain creditable service during a certain period of time and requiring the members to complete and file certain forms with the Board of Trustees of the State Retirement and Pension System by a certain date; defining a certain term; providing for the termination of this Act; and generally relating to the transfer of service credit for members of the Employees' Pension System.

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

**Senate Bill 368 – Senator Stone**

AN ACT concerning

**Procurement – Prevailing Wage – Applicability**

FOR the purpose of altering a certain limitation on the applicability of the Prevailing Wage Law to the construction of a public work by revising a certain definition; and generally relating to the applicability of the Prevailing Wage Law.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–201  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 369 – Senator Stone**

AN ACT concerning

**Criminal Procedure – Revision of Verdict or Judgment – Restrictions**

FOR the purpose of establishing that in a criminal case, the court may revise a verdict or judgment only after a certain motion has been filed, a notice of hearing has been sent to certain parties, and a hearing has been held; applying a certain provision of law relating to the court’s revisory power and control over a judgment only to civil cases; and generally relating to the court’s revisory power and control over a verdict or judgment.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 6–408  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 370 – Senators Stone and Klausmeier**

AN ACT concerning

**Criminal Procedure – State Child Abuse Registry**

FOR the purpose of requiring individuals convicted of child abuse to register with a certain supervising authority by a certain time; providing that an individual is

no longer subject to registration on a certain registry under certain conditions; requiring a certain registrant to provide notice of a change in residence or a change of name in a certain time period; establishing when an individual is considered to be convicted for certain purposes; requiring a certain registration statement to include certain information; requiring individuals convicted of child abuse to register with a local law enforcement unit every year for a certain term; requiring a registration to include a certain digital image that is required to be updated at least once each year; requiring the Department of Public Safety and Correctional Services to establish a certain State child abuse registry; requiring the Department to provide certain information on the Internet; requiring the Department to reimburse local law enforcement units for certain costs; prohibiting an individual from knowingly failing to register or knowingly providing certain false information; providing for certain immunity for certain individuals in certain circumstances; establishing certain penalties for a violation of this Act; defining certain terms; and generally relating to a State child abuse registry.

BY adding to

Article – Criminal Procedure

Section 11–7A–01 through 11–7A–11 to be under the new subtitle “Subtitle 7A.  
Registration of Child Abusers”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 371 – Senator Jones–Rodwell**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Arch Social Club Historic Site Restoration**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$118,000, the proceeds to be used as a grant to the Board of Trustees of the Arch Social Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 372 – Senator Kelley**

AN ACT concerning

**Maryland Common Interest Community Managers Act**

FOR the purpose of creating the State Board of Common Interest Community Managers in the Department of Labor, Licensing, and Regulation; providing for the composition of the Board and the appointment, terms, and expenses of the Board members; providing for the election of certain officers, size of a Board quorum, and meetings of the Board; establishing certain powers and duties of the Board; requiring the Board to maintain a list of certain names and addresses; requiring the Board to set certain fees by regulation, to publish a certain fee schedule, and to pay certain fees to the Comptroller; requiring the Comptroller to distribute certain fees to the State Board of Common Interest Community Managers Fund; requiring an individual to be licensed by the Board on or before a certain date before the individual may act as a common interest community manager in the State; establishing certain qualifications, training requirements, and experience requirements for a license; establishing application requirements for licenses; requiring certain licensees to maintain certain bank accounts in a certain manner; authorizing the Board to establish certain regulations to deny a license to an applicant, reprimand a licensee, suspend or revoke a license, or impose certain penalties under certain circumstances; establishing certain notice and hearing provisions; authorizing the Board to impose a certain fine under certain circumstances; requiring certain common interest community associations to register annually with and provide certain information to the Board; requiring the Board to charge a certain annual registration fee; establishing the State Board of Common Interest Community Managers Fund; providing for the purpose, administration, composition, use, and audit of the Fund; requiring the Secretary of Labor, Licensing, and Regulation, in consultation with the Board, to calculate certain costs annually; authorizing the Board to set certain fees, based on certain calculations; prohibiting a fee established by the Board from being increased by more than a certain percentage annually; defining certain terms; providing for the application of this Act; making the Board subject to the Maryland Program Evaluation Act; providing for the termination of certain provisions of this Act; specifying the terms of the initial members of the Board; and generally relating to the State Board of Common Interest Community Managers and the regulation of common interest community managers.

BY renumbering

Article – Business Regulation

Section 2–108(a)(10) through (33), respectively

to be Section 2–108(a)(11) through (34), respectively

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY renumbering

Article – State Government

Section 8–403(b)(13) through (68), respectively

to be Section 8–403(b)(14) through (69), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Occupations and Professions  
Section 22–101 through 22–502 to be under the new title “Title 22. Common  
Interest Community Managers”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Regulation  
Section 2–106.9, 2–106.10, and 2–108(a)(10)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 8–403(b)(13)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 373 – Senators Middleton and Klausmeier**

AN ACT concerning

#### **Gas and Electric Companies – Use of Trade Name or Trademark – Royalties**

FOR the purpose of prohibiting certain persons from using the trade name or trademark of an affiliated gas and electric company for a certain purpose unless the person remits certain royalties to the gas and electric company under certain circumstances; requiring a gas and electric company that collects certain royalties under this Act to pay the royalties to the Comptroller; requiring the Comptroller to place certain revenue into the electric universal service program fund to be used for a certain purpose; requiring the Public Service Commission to verify certain gross receipts and that certain royalties have been collected and paid in a certain manner; providing for the application of this Act; defining

a certain term; and generally relating to the payment of royalties for the use of a gas and electric company's trade name or trademark.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–512.1(a)(1), (2), and (4), (e), and (f)(1), (2), and (4)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–512.1(f)(3)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities  
Section 7–801 to be under the new subtitle “Subtitle 8. Miscellaneous Provisions”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 374 – Senator Mathias**

AN ACT concerning

#### **Town of Ocean City – Criminal History Records Check – Taxi Driver Applicants**

FOR the purpose of authorizing the Ocean City Police Department to request State and national criminal history records checks for taxi driver applicants in Ocean City from the Criminal Justice Information System Central Repository; requiring the Police Department to submit sets of fingerprints of taxi driver applicants and pay certain fees to the Central Repository as part of the application for a records check; requiring the Central Repository to forward certain information to certain persons; specifying that certain information be confidential, not be disseminated, and be used only for a certain purpose; authorizing the subject of a criminal history records check to contest the contents of a certain statement in a certain manner; and generally relating to criminal history records checks for taxi driver applicants in Ocean City.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 10–231  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Criminal Procedure

Section 10–234.1 to be under the amended part “Part IV. Criminal History

Records Check Requests – Counties and Municipalities”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 375 – Senator Mathias**

AN ACT concerning

**Creation of a State Debt – Worcester County – Coastal Hospice at the Ocean Residence Project**

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

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

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 139 – The President and All Members:**

Be it hereby known to all that  
 The Senate of Maryland  
 offers its sincerest congratulations to  
 Rebecca Castle  
 Isaac Gourdine Middle School, Prince George’s County  
 in recognition of  
 being named the 2011 History Day Teacher of the Year.  
 The entire membership extends best wishes on  
 this memorable occasion and directs this resolution  
 be presented on this 30th day of January 2012.

**Senate Resolution No. 140 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Amie Sanner  
Calvert High School, Calvert County  
in recognition of  
being named the 2011 Patricia Behring High School  
History Day Teacher of the Year.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 30th day of January 2012.

The preceding 2 resolutions were read and adopted by a roll call vote as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 89)

**Senate Resolution No. 132 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Emily Galik  
Marriotts Ridge High School, Howard County  
in recognition of  
receiving the Outstanding State Entry at the 2011  
National History Day in the category of  
Senior Individual Exhibit.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 30th day of January 2012.

**Senate Resolution No. 135 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Ethan McComb  
Plum Point Middle School, Calvert County  
in recognition of  
receiving the Gold Medal at the 2011 National History Day in the Junior Individual  
Exhibit category.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 30th day of January 2012.

**Senate Resolution No. 136 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Duncan Rheingans–Yoo  
Oakland Mills Middle School, Howard County  
in recognition of  
being a finalist at the 2011 National History Day  
in the Junior Paper category.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 30th day of January 2012.

**Senate Resolution No. 137 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Camila Uechi  
Bullis School, Montgomery County  
in recognition of  
receiving a scholarship to Chaminade University in  
Hawaii for your Senior Individual Web Site  
at the 2011 National History Day.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 30th day of January 2012.

**Senate Resolution No. 138 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Maria Viera  
Mayfield Woods Middle School, Howard County  
in recognition of  
receiving the Outstanding State Entry at the  
2011 National History Day in the  
Junior Individual Web Site category.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 30th day of January 2012.

**Senate Resolution No. 133 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Michael Keen  
Montgomery County  
in recognition of  
receiving the Bronze Medal at the 2011  
National History Day in the Senior Paper category.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 30th day of January 2012.

**Senate Resolution No. 134 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Alexandra La Pierre  
Broadneck High School, Anne Arundel County  
in recognition of  
being selected to display her Senior Individual Exhibit at the National Museum of  
American History.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 30th day of January 2012.

**Senate Resolution No. 188 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Kane Herrick  
in recognition of  
being a finalist at the 2011 National History Day  
in the category of Senior Web Site.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 30th day of January 2012.

The preceding 8 resolutions were read and ordered journalized.

**QUORUM CALL**

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

(See Roll Call No. 90)

**ADJOURNMENT**

At 8:38 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 31, 2012.

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**Annapolis, Maryland**  
**Tuesday, January 31, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:15 A.M.

Prayer by Reverend Liliana Llerena, Grace Point Community Church of the Nazarene, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

The Journal of January 30, 2012 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 92)

**MESSAGE TO THE SENATE**

January 31, 2012

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the Senate:

The Governor of Maryland has signified his intention of addressing the General Assembly of Maryland on Wednesday, February 1, 2012 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 Washington and Costa 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 Olszewski, Pena–Melnik and Hogan.

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 V. Turner, Nathan–Pulliam and Frank.

BY ORDER, MARY MONAHAN, CHIEF CLERK

Read and ordered journalized.

### MESSAGE TO THE HOUSE OF DELEGATES

January 31, 2012

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE HOUSE OF DELEGATES:

We have received your message that the Governor has signified his intention to address the General Assembly of Maryland on Wednesday, February 1, 2012 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 Garagiola, Pugh and Pipkin 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 Gladden, Raskin and Reilly to escort the Lt. Governor to the House Chamber.

By Order,

William B.C. Addison, Jr.  
Secretary of the Senate

Read and adopted.

### INTRODUCTION OF RESOLUTIONS

**Senate Resolution No. 176 – Senator Verna L. Jones–Rodwell:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Ernestine Shepherd  
in recognition of  
being crowned by the Guinness Book of World Records as the oldest competitive  
female body builder ever, and your commitment to physical fitness for all ages

throughout Maryland and the world.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 93)

## INTRODUCTION OF BILLS

### **Senate Bill 376 – Senator Conway**

AN ACT concerning

#### **Medical Records – Authorization to Disclose – Person in Interest**

FOR the purpose of altering the definition of “person in interest”, as it relates to the disclosure of confidential medical records, to include the spouse, parent, or child of a deceased person under certain circumstances; requiring a certain person in interest to include a certain affidavit with a certain authorization for the disclosure of certain medical records; and generally relating to the authorization to disclose medical records to a person in interest.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 4–301(l) and 4–303  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 377 – Senator Conway**

AN ACT concerning

#### **Alcoholic Beverages – Baltimore City – False Advertising**

FOR the purpose of prohibiting an alcoholic beverages licensee in Baltimore City from advertising falsely; requiring the Baltimore City Board of License Commissioners to enforce a prohibition on advertising falsely; defining a certain term; and generally relating to alcoholic beverages licensees in Baltimore City and false advertising.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages

Section 21–105  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 378 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Department of Legislative Services)**

AN ACT concerning

**Maryland Program Evaluation Act – Revisions**

FOR the purpose of repealing a function of the Legislative Policy Committee relating to the Maryland Program Evaluation Act; repealing the authority of the Committee to waive as unnecessary certain evaluations; repealing the requirement that an evaluation of certain governmental activities or units and the statutes and regulations that relate to those activities or units be performed; repealing the requirement that the Department of Legislative Services prepare certain preliminary evaluation reports of certain governmental activities or units; repealing the requirement that certain governmental activities or units provide the Department with certain information; repealing the requirement that certain evaluations be conducted by certain evaluation committees; repealing the requirement that certain committees be appointed; repealing the requirement that certain evaluation committees consult with the Department and prepare a certain plan for evaluation; altering the date by which the Department must submit an evaluation report of a governmental activity or unit to the General Assembly; altering the required contents of certain evaluation reports; altering the date by which certain committees of the General Assembly must hold certain public hearings; requiring certain committees of the General Assembly rather than certain evaluation committees to submit a certain report to the General Assembly; altering the recommendations that must be included in certain reports; requiring the Office of Policy Analysis in the Department to annually solicit certain ideas for certain research activities; requiring the Office to propose a certain research agenda to the President of the Senate and the Speaker of the House based on certain criteria; requiring the Office to implement a certain research agenda as approved by the President of the Senate and the Speaker of the House; requiring the Office to present certain findings and recommendation to certain committees of the General Assembly; requiring certain entities to provide certain information and cooperate with the Department to carry out certain requirements; authorizing certain information to be provided to the Department in a certain format; requiring the Department to follow certain confidentiality procedures; repealing the termination provisions applicable to certain governmental activities and units subject to the Maryland Program Evaluation

Act; defining certain terms; and generally relating to the Maryland Program Evaluation Act.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 2–401 and 8–402  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–407(a), 8–401, and 8–408 through 8–413  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – State Government  
Section 8–403 through 8–407  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 8–403, 8–407, and 8–408  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Agriculture  
Section 2–316 and 2–719  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Business Occupations and Professions  
Section 2–702, 3–702, 4–702, 5–702, 6–702, 6.5–502, 7–602, 8–602, 9–702;  
10–218 and the part “Part III. Termination of Subtitle”; 11–802, 12–702,  
14–602, 15–702, 16–802, 17–702; 18–701 and the subtitle “Subtitle 7.  
Termination of Title”; and 21–502  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Business Regulation  
Section 3–601 and the subtitle “Subtitle 6. Termination of Title”; 4–208, 5–1002,  
7–502, 8–718, 8–802, 9A–602, and 11–1102  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing

Article – Environment

Section 11–502, 12–602, and 13–602

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing

Article – Financial Institutions

Section 2–401 and the subtitle “Subtitle 4. Termination of Certain Provisions”

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY repealing

Article – Health Occupations

Section 1A–502, 2–502, 3–602, 5–502, 8–6B–29, 9–502, 10–502, 11–602, 13–502,  
14–5A–25, 14–5B–21, 14–5C–25, 14–5D–20, 14–5E–25, 15–502, 16–602,  
17–702, 18–502, 19–502, and 20–502

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing

Article – Labor and Employment

Section 2–109, 3–706, 4–405, 5–607, and 11–402

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing

Article – Public Safety

Section 12–842 and 12–919

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing

Article – State Finance and Procurement

Section 17–203(l)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY renumbering

Article – Labor and Employment

Section 3–707 through 3–711, 5–608, and 11–403 through 11–408, respectively  
to be Section 3–706 through 3–710, 5–607, and 11–402 through 11–407,  
respectively

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 379 – The President (By Request – Department of Legislative Services)**

EMERGENCY BILL

AN ACT concerning

**Annual Corrective Bill**

FOR the purpose of correcting certain errors and omissions in certain articles of the Annotated Code and certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; ratifying certain corrections made by the publishers of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for the effect and construction of certain provisions of this Act; providing for a delayed effective date for a portion of this Act; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–304(q)(2), 15–112(d)(2)(iv), and 20–106(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing  
Article 2B – Alcoholic Beverages  
Section 11–403(b)(2)(xi)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 1–112  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 25 – County Commissioners  
Section 10–I(a), 19(b), 53(b)(6), 121D, and 174  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 25B – Home Rule for Code Counties  
Section 13H(j)

Annotated Code of Maryland  
(2011 Replacement Volume)

(As enacted by Chapter 641 of the Acts of the General Assembly of 1995)

BY repealing

Article – Agriculture

The subtitle designation “Subtitle 13. Aquaculture”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

The subtitle designation “Subtitle 5. Miscellaneous Provision” to immediately precede Section 9–501; and 16–211

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions

Section 9–501

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 5–403(4), 12–301(b)(1), 16.5–101(c), and 17–1012(a), (c)(1), and (e)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing

Article – Business Regulation

The part designation “Part III. Calvert County Licensing”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 12–1026(a), 13–204(14), 14–1310(b)(1)(ii), and 14–1805(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 5–6B–03(d)(1) and (3)

Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–819(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 2–303(h)(2), 3–902(a)(5)(i)8., and 3–903(b)(6)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 10–231.1(c)(2), 11–701(l)(3), and 11–723(d)(3)(ii)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–1001(b), (d), and (g), 7–109, 18–403, 18–604(a), 18–705(c)(2) and (4),  
and 23–205(b)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 11–203(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 277 of the Acts of the General Assembly of 2011)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 5–305(c)(1), 9–207(a)(1), 9–209, 10–310(c)(4), and 13–227(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–819(a)(2)(viii), 9–1605.2(h)(2)(i)1.E., and 15–1201(b) and (c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts  
Section 4–409(2) and 14–107(f)(2)(ii)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law  
Section 4–509(a); the subtitle designation “Subtitle 1. Definition” to immediately precede Section 5–101; and 12–201(j) and (k)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law  
Section 5–101(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing

Article – Family Law  
Section 12–201(i)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to

Article – Family Law  
Section 12–201(k)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions  
Section 2–114(b), 4–906(2), 8–303(b)(21), 8–404, 9–1005(a) and (b)(2)(i),  
9–1006(b)(2), (c), and (e), and 12–802(g)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing

Article – Financial Institutions  
Section 11–603.1(l)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 8–1001(d)(1), 13–112(c), 13–809(1)(iii) and (iv), 15–304(b)(1), 18–901(e),  
21–2A–04(b)(5), and 24–505(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 10–411(c)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 21 of the Acts of the General Assembly of 1982)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–1409(b)(8)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 65 of the Acts of the General Assembly of 2011)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 4–205(a)(7), 4–207(e), 4–308(d)(1)(ii)1. and 2.A. and (h)(1)(iii)1., and  
12–6C–01(q)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Health Occupations  
Section 12–6C–01(p)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health Occupations  
Section 12–6C–01(q)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health Occupations  
Section 14–411(e) and (f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapters 308 and 309 of the Acts of the General Assembly of  
2011)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–411(e) through (q)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Chapters 308 and 309 of the Acts of the General Assembly of 2011)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 4–405(b)(12), 5–101(a)(3)(ii), (4)(ii), (11), and (13), 5–608(e)(2) and (n)(1) and (2), 7–405(c)(1)(i), 8–301(f)(1)(i)5., 9–217(b), 14–106(d)(2)(i), 14–504(a)(2), 15–1216(c)(2), 27–613(c)(3)(viii) and (h)(3)(ii), 27–614(c)(5)(vii) and (e)(3)(ii), and 31–101(j)

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–502, 3–710(d)(7), 3–711(d)(5)(ii) and (iii), 3–907(b)(2) and (3), and 9–722(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–701.1(g)(6)(i), 4–742(e), and 4–1037(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 2–509(a), 2–510, 5–103(1), and 11–116(a)(2)(v)

Annotated Code of Maryland

(2011 Replacement Volume)

BY adding to

Article – Public Safety

The new subtitle designation “Subtitle 7. Freedom of Association and Assembly Protection Act” to immediately precede Section 3–701

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 3–701(a)(1)

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–211(h)(5)(iii)2. and 10–104(d)(2)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–105.9(b)(1), 8A–401, 8A–403(a), 8A–406, 8A–1101(a), 11–109(d)(22),  
and 11B–111(1), (3), and (5)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

The subtitle designation “Subtitle 13. Retaliatory Actions” to immediately  
precede Section 8A–1301

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

(As enacted by Chapter 843 of the Acts of the General Assembly of 1980)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 8A–1301(a)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 4–604(8), 12–301(b)(3), and 14–303(a)(1)(ii) and (b)(8)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–120(b)(1)(i), 9–1A–01(u)(2)(ii), 9–1A–09.1(d)(1), and 15–102(m)(2)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–616(p)(5)(xv)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Chapter 541 of the Acts of the General Assembly of 2011)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–307(f), 22–406(c)(9)(iii)2., 23–307(a)(1), 23–407(c)(9)(iii)2., and  
24–401.1(c)(2)(ii)1.

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–206(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 2–106(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

(As enacted by Chapter 397 of the Acts of the General Assembly of 2011)

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 12–108(y)(1)(ii) and (aa)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 4–312(a)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

(As enacted by Chapter 941 of the Acts of the General Assembly of 1978)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11–117(a), 15–101(g)(2)(ii), 16–111.2(e), 16–115(e), 16–122(a)(2) and (3),  
16–205.1(b)(3)(viii)3., and 22–412.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 23–202(b)(3)(i)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

(As enacted by Chapters 111 and 112 of the Acts of the General Assembly of  
2007)

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

**Senate Bill 380 – The President (By Request – Department of Legislative Services)**

EMERGENCY BILL

AN ACT concerning

**Annual Curative Bill**

FOR the purpose of generally curing previous Acts of the General Assembly with possible title defects; providing that if the Commissioner of Financial Regulation receives a record from an agency that retains ownership of the record, the Commissioner may not disclose the record to any person that requests the record under the Maryland Public Information Act; limiting the circumstances under which the State Board of Podiatric Medical Examiners is required to conduct certain unannounced inspections of certain offices of podiatrists to instances where a complaint has been filed with the Board regarding a violation by a podiatrist of the Centers for Disease Control and Prevention's guidelines on universal precautions; repealing a provision of law that prohibits the Department of Natural Resources from adopting regulations to prohibit a tidal fish licensee from obstructing the cull ring of a hard crab pot at any time of the year in order to catch peeler crabs; establishing a maximum term of imprisonment applicable to a violation of the prohibition against a person who was previously convicted of a certain crime of violence or drug-related crime possessing a certain regulated firearm; providing for the effect and construction of certain provisions of this Act; making this Act an emergency measure; and generally repealing and reenacting without amendments certain Acts of the General Assembly that may be subject to possible title defects in order to validate those Acts.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 6–222(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 4–203(b)(9)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Financial Institutions

Section 5–909  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 16–205(b)(4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 4–803(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–133(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 24–301(a) and the subtitle designation “Subtitle 3. Mobile Seafood and  
Produce Vendors” to immediately precede Section 24–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Chapter 488 of the Acts of the General Assembly of 2007, as amended by  
Chapter 219 of the Acts of the General Assembly of 2008 and Chapter 396  
of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA00(B)

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

### QUORUM CALL

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

(See Roll Call No. 94)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #3**

**Senate Bill 33 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages Licenses – Beer, Wine and Liquor  
Licenses – Clubs**

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

Affirmative – 46    Negative – 0    (See Roll Call No. 95)

The Bill was then sent to the House of Delegates.

**Senate Bill 34 – Senator Colburn**

AN ACT concerning

**Talbot County – Zoning Regulations – Enforcement**

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

Affirmative – 47    Negative – 0    (See Roll Call No. 96)

The Bill was then sent to the House of Delegates.

**Senate Bill 37 – Senator Colburn**

AN ACT concerning

**Dorchester County – Water and Sewer Service – Late Fees**

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

Affirmative – 47    Negative – 0    (See Roll Call No. 97)

The Bill was then sent to the House of Delegates.

**Senate Bill 44 – Senator Colburn**

AN ACT concerning

**Dorchester County – Bay Restoration Fund – Collection of Restoration Fee**

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

Affirmative – 46    Negative – 0    (See Roll Call No. 98)

The Bill was then sent to the House of Delegates.

**Senate Bill 45 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcohol Awareness Program – Certificate of Completion**

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

Affirmative – 47    Negative – 0    (See Roll Call No. 99)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 100)

**ADJOURNMENT**

At 10:33 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:30 A.M. on Wednesday, February 1, 2012.

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**Annapolis, Maryland**  
**Wednesday, February 1, 2012**  
**11:30 A.M. Session**

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The Senate met at 11:40 A.M.

Prayer by Reverend Steven Hall, Heritage Community Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 31, 2012 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 103)

**INTRODUCTION OF BILLS**

**Senate Bill 381 – Senator Montgomery**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Olney Police Satellite Station**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$10,000, the proceeds to be used as a grant to the Advisory Board of the Olney Police Satellite Station Fund for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 382 – Senator Jennings**

AN ACT concerning

**State Highway Administration – Roundabouts – Displaying Flag of the United States**

FOR the purpose of requiring the State Highway Administration to establish a permit program allowing individuals and organizations to display a United States flag on State-owned circular islands at the center of a traffic roundabout; authorizing the Administration to charge a permit fee to offset certain costs; requiring the Administration to adopt certain regulations, including certain safety guidelines; and generally relating to authority to display a United States flag on State-owned circular islands at the center of a traffic roundabout.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–652  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 383 – Senator Pipkin**

AN ACT concerning

**Creation of a State Debt – Kent County – Betterton Wastewater Treatment Plant**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$355,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Betterton for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 384 – Senator Pipkin**

AN ACT concerning

**Kent County – Alcoholic Beverages – Micro-Brewery Licenses**

FOR the purpose of adding Kent County to the list of counties in which a Class 7 micro-brewery license may be issued; adding the county to the list of counties in

which the license holder may sell at retail beer brewed under the license for consumption off the licensed premises under certain conditions; providing that the license may only be issued to a holder of a Class D beer (off-sale) license; providing for the hours and days for sale for the license; and generally relating to alcoholic beverages in Kent County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–208  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 385 – Senator Pipkin**

AN ACT concerning

**Natural Resources – Removal of Abandoned Fishing Nets**

FOR the purpose of requiring the Department of Natural Resources to remove from the waters of the State and dispose of any abandoned fishing net found by or reported to the Department within a certain time period; and generally relating to abandoned fishing nets in the waters of the State.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–205  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 386 – Senator Pipkin**

AN ACT concerning

**Alcoholic Beverages – Distilleries – Tours, Samples, and Sales**

FOR the purpose of expanding the privileges of a distillery license so that the holder of the license may conduct guided tours of the licensed premises, serve not more than a certain number of samples of products manufactured at the licensed premises, sell certain foods and beverages, sell products manufactured on the licensed premises for consumption off the licensed premises, and sell related

merchandise; and generally relating to the privileges of alcoholic beverages and distillery licenses.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–202  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

### **Senate Bill 387 – Senator Kelley**

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 in situations in which 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 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 8–301(i)  
Annotated Code of Maryland  
(2002 Volume and 2011 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 2011 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 11–614.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 388 – Senators Kittleman, Kasemeyer, Robey, Brinkley, and Getty**

AN ACT concerning

**Carroll and Howard Counties – Workers’ Compensation – Students in Unpaid  
Work–Based Learning Experiences**

FOR the purpose of authorizing the boards of education in Carroll County and Howard County to waive the requirement that a participating employer reimburse the county for the cost of certain workers’ compensation insurance coverage for students placed in unpaid work–based learning experiences; and generally relating to the waiver of workers’ compensation reimbursement in connection with unpaid work–based learning experiences.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–228(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 389 – Cecil County Senators**

AN ACT concerning

**Cecil County – Alcoholic Beverages – Class 6 Pub–Brewery Licenses**

FOR the purpose of adding Cecil County to the list of jurisdictions in which the holder of a Class 6 pub–brewery license may sell malt beverages for off–premises consumption in sealed refillable containers under certain circumstances; and generally relating to Class 6 pub–brewery licenses in Cecil County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–207(g)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 390 – Caroline County Senators**

AN ACT concerning

**Caroline County – Deer Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person in Caroline County to hunt deer on certain Sundays on private property using certain hunting equipment during certain months; and generally relating to 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 2011 Supplement)

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

**Senate Bill 391 – Cecil County Senators**

AN ACT concerning

**Cecil County – Alcoholic Beverages – Class BLX Licenses**

FOR the purpose of lowering the minimum capital investment for dining room facilities and kitchen equipment required for a restaurant to qualify for a Class

BLX on-sale license in Cecil County; and generally relating to alcoholic beverages licenses in Cecil County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(i)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(i)(3)(ii)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 392 – Senator Reilly**

AN ACT concerning

**Anne Arundel County – Unauthorized Signs on Highway Rights-of-Way –  
Exceptions**

FOR the purpose of exempting in Anne Arundel County a sign placed or maintained by a home builder or real estate broker during certain time periods from the prohibition against placing or maintaining a sign within the right-of-way of a State highway; making a stylistic change; and generally relating to the placement and maintenance of signs on State highway rights-of-way in Anne Arundel County.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–605(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 393 – Senator Middleton**

AN ACT concerning

**Maryland Medical Assistance Program – Managed Care Organizations –  
Recipient Participation**

FOR the purpose of requiring that certain recipients of benefits under the Maryland Medical Assistance Program be afforded the option of remaining or enrolling in certain managed care organizations or receiving benefits under the Program for which payments are made on a fee-for-service basis; and generally relating to the Maryland Medical Assistance Program and options for recipients of benefits under the Program.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 15–101(a), (e), (h), and (i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–103(b)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 394 – Senator Jennings**

AN ACT concerning

**Medical Laboratories – Laboratory Test and Clinical Laboratory Fees –  
Schedule**

FOR the purpose of requiring a certain licensed medical laboratory to produce a certain fee schedule that includes certain information; requiring a certain fee schedule to be regularly updated to provide certain information; requiring a certain fee schedule and any supplemental materials to be published in certain formats; requiring a medical laboratory to provide a certain fee schedule and supplemental materials to a licensed physician on request of the physician; and generally relating to a fee schedule for medical laboratory tests and clinical laboratory fees.

BY adding to  
Article – Health – General  
Section 17–218  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 395 – Senator Jennings**

AN ACT concerning

**Health Occupations – Public Disclosure of Professional Credentials**

FOR the purpose of requiring certain advertisements for health care services to identify and fully spell out the license or certification of certain health care practitioners; prohibiting a certain advertisement from being misleading; specifying what constitutes a misleading advertisement under this Act; requiring certain health care practitioners to disclose the practitioner's licensure or certification by wearing a certain identification tag; providing for the application of a certain provision of this Act; providing that health care practitioners that fail to comply with certain provisions of this Act are subject to certain disciplinary actions; authorizing the appropriate regulatory board to investigate an alleged violation of certain provisions of this Act; requiring certain regulatory boards to adopt certain regulations; prohibiting a physician from making certain representations to the public under certain circumstances; altering the authority of a physician to advertise; defining certain terms; and generally relating to the public disclosure of professional credentials by health care practitioners.

BY adding to

Article – Health Occupations

Section 1–701 through 1–705 to be under the new subtitle “Subtitle 7. Public Disclosure of Professional Credentials”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–503

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 396 – Senator Forehand**

AN ACT concerning

**Maryland Uniform Transfers to Minors Act – Orphans' Court**

FOR the purpose of altering the definition of the term “court” to include an orphans' court or a court exercising the jurisdiction of an orphans' court for the purposes of the Maryland Uniform Transfers to Minors Act; and generally relating to the Maryland Uniform Transfers to Minors Act.

BY repealing and reenacting, without amendments,  
Article – Estates and Trusts  
Section 13–301(a), 13–306, 13–309, 13–312(a), 13–314(c) and (d), 13–318(d) and  
(f), 13–319, and 3–324  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 13–301(e)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 397 – Senator Forehand**

AN ACT concerning

#### **Estates and Trusts – Allowance for Funeral Expenses**

FOR the purpose of defining the term “funeral expenses” for purposes of a certain allowance for payment from a decedent’s estate; altering the amount for funeral expenses that a court may allow for a small estate; making stylistic changes; providing for the application of this Act; and generally relating to an allowance for funeral expenses.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 8–106  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 398 – Senators Forehand and Madaleno**

AN ACT concerning

#### **Local Correctional Facilities – Sentenced Inmates**

FOR the purpose of altering the circumstances under which a judge may sentence an individual to a local correctional facility; prohibiting a judge from sentencing an individual to a local correctional facility for a period exceeding a certain amount of time; and generally relating to the sentencing of inmates to a local correctional facility.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 9–105  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 399 – Senators Pugh, Garagiola, and Forehand**

AN ACT concerning

**Economic Development – Maryland Stem Cell Research Act – Revisions**

FOR the purpose of altering the name of the Stem Cell Research Commission to be the Stem Cell and Biotechnologies Commercialization Commission; requiring the Commission to establish certain procedures and guidelines regarding research supporting a qualified technology; repealing the requirement that the Commission ensure that certain procedures and guidelines are based on certain guidelines; altering the name of the Maryland Stem Cell Research Fund to be the Maryland Stem Cell and Biotechnologies Commercialization Fund; altering the purpose of the Fund; altering the approved uses of money in the Fund; requiring that a certain percentage of awards per year be made to certain for-profit companies; requiring that priority be given to certain applicants when awarding funds to applicants in the nonprofit sector; altering the membership of the Commission; altering the composition of the membership of the peer review committee; requiring the peer review committee to consider certain factors when reviewing a proposal; repealing the provision of law prohibiting a member of the peer review committee from residing in the State; altering the requirements for a certain report; altering the definition of certain terms; defining a certain term; and generally relating to the Maryland Stem Cell Research Act.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–429, 10–431, 10–432, 10–434 through 10–436, and 10–442  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 10–430 and 10–437 through 10–441  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

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

**Senate Bill 400 – Senator Pugh**

AN ACT concerning

**Income Tax – Subtraction Modification – Health Improvement and Cost Savings Act of 2012**

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  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–208(r)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 401 – Senators Pugh, Gladden, and Ramirez**

AN ACT concerning

**Motor Vehicles – Towing Practices and Procedures**

FOR the purpose of establishing a motor vehicle towing, recovery, and storage lien on a towed motor vehicle on behalf of the tower for certain towing, recovery, and storage charges; prohibiting a motor vehicle towing, recovery, and storage lienor from selling the motor vehicle to which the lien is attached under certain circumstances; providing that a motor vehicle towing, recovery, and storage lienor may only sell a motor vehicle to which a lien is attached in a certain manner; requiring a motor vehicle towing, recovery, and storage lienor to return certain motor vehicle registration plates to the Motor Vehicle Administration under certain circumstances; requiring the Motor Vehicle Administration to provide a receipt for the return of certain motor vehicle registration plates;

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 an abandoned vehicle or a vehicle subject to a motor vehicle towing, recovery, and storage lien under certain circumstances; providing for the application process for a salvage certificate for an abandoned vehicle or a vehicle subject to a motor vehicle towing, recovery, and storage lien; requiring certain motor vehicle towing, recovery, 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, recovery, and storage of vehicles; altering the maximum distance that, and the locations to which, 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, recovering, and storing a vehicle under certain circumstances; authorizing a tower to charge certain persons for the actual costs of providing certain notice; altering the time period within which a tower is required to provide certain notice to certain police departments; requiring a tower to provide certain notice to certain persons within a certain time period after towing a vehicle from a parking lot; requiring a tower to provide certain persons with certain itemized costs; 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 certain manners under certain circumstances and to make an automatic teller machine available on the premises under certain circumstances; requiring a storage facility that is in possession of a towed vehicle to make the vehicle available to certain persons for certain purposes; 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, recovery, 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 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 16–206  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 11–152, 13–506(b), (e), and (f), 13–507(b), 13–920, 21–10A–01 through  
21–10A–06, and 27–101(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 13–506(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–507(a)(1) and (2) and 27–101(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 402 – Senators Brinkley, Brochin, Colburn, Dyson, Edwards,  
Glassman, Jacobs, Jennings, Klausmeier, Mathias, Reilly, Shank, and  
Simonaire**

AN ACT concerning

### **Maryland Estate Tax – Unified Credit**

FOR the purpose of altering a certain limit on the unified credit used for determining the Maryland estate tax; repealing a certain limit on the unified credit used for determining the Maryland estate tax for decedents dying after a certain date; altering a certain limitation on the amount of the Maryland estate tax; 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  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–309(b)(1), (2), and (3)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 403 – Senators Brinkley, Colburn, Edwards, Glassman, Jacobs,  
Jennings, Shank, and Simonaire**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Transportation Trust Fund – Dedicated Highway Funds**

FOR the purpose of proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; requiring that certain tax and fee revenue credited to the Transportation Trust Fund be used only for certain highway purposes; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53

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

**Senate Bill 404 – Senators Brinkley, Colburn, Currie, Glassman, King,  
Kittleman, Klausmeier, Montgomery, Stone, Young, and Zirkin**

AN ACT concerning

**Sales and Use Tax – Exemption – Home Wheelchair Lifts and Stairlifts**

FOR the purpose of exempting from the sales and use tax the sale of home wheelchair lifts and stairlifts; and generally relating to a sales and use tax exemption for certain physical aids.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–211(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 405 – Senators Pugh, Garagiola, Forehand, Kelley, Madaleno, and Montgomery**

AN ACT concerning

**Life Sciences Advisory Board – Purpose and Membership**

FOR the purpose of establishing the purpose of the Life Sciences Advisory Board in the Department of Business and Economic Development; altering the membership of the Advisory Board; and generally relating to the Life Sciences Advisory Board.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 3–201  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 3–202 and 3–203(a)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

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

**Senate Bill 406 – Senator Zirkin**

AN ACT concerning

**Maryland Automobile Insurance Fund – Notice of Claim for Damages –  
Time for Filing**

FOR the purpose of altering the time period after an accident out of which the cause of action arises within which notice of a claim for damages must be filed with the Maryland Automobile Insurance Fund under certain circumstances; and generally relating to claims for damages under the Maryland Automobile Insurance Fund.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 20–101(a) and (g)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 20–603(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 407 – Senators Zirkin and Jennings**

AN ACT concerning

**Baltimore County – Elected School Board**

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 members of the Baltimore County Board of Education; requiring the elected members of the county board to reside in, be a registered voter in, and be elected from certain districts; establishing a certain term of office for the elected members; specifying that a member may not be elected to serve for more than a certain number of consecutive terms; 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 a School Board Redistricting Commission for Baltimore County; specifying the membership, appointment process, powers and duties, staffing, and termination of the Commission; providing for the termination of the terms of the appointed members of the county board; making certain conforming nomenclature changes; and generally relating to the election of members for the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–109 and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education

Section 3–2A–01 through 3–2A–09 to be under the new subtitle “Subtitle 2A.  
Baltimore County”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 408 – Senator Dyson**

AN ACT concerning

**Pharmacists – Administration of Vaccinations – Expanded Authority**

FOR the purpose of altering the authority of pharmacists to administer certain vaccinations to certain individuals in accordance with certain regulations; requiring the State Board of Pharmacy, in consultation with the Department of Health and Mental Hygiene, to adopt certain regulations; and generally relating to the authority of pharmacists to administer vaccinations.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–508  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 409 – Senator Jones–Rodwell (By Request – Baltimore City  
Administration) and Senators Ferguson, Gladden, McFadden, and  
Pugh**

AN ACT concerning

**Baltimore City – Police Department – Appointments**

FOR the purpose of altering the rank above which the Police Commissioner of Baltimore City may make an appointment without an examination under certain circumstances; and generally relating to appointments in the Police Department of Baltimore City.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Baltimore City  
Section 16–7(3) and 16–10(d)  
Article 4 – Public Local Laws of Maryland  
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

**Senate Bill 410 – Senators Dyson, Brinkley, Colburn, Garagiola, Glassman,  
King, Klausmeier, Manno, and Middleton**

AN ACT concerning

**Estate Tax – Exclusion of 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; defining certain terms; 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; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–309  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 411 – Senator Jennings**

AN ACT concerning

**Criminal Procedure – Maryland Victim Information & Notification Everyday  
(VINE) Services – Contact Information**

FOR the purpose of requiring correspondence or documents provided by the District Court to a certain victim or the victim's representative to contain contact information for Maryland Victim Information & Notification Everyday (VINE) services; requiring a prosecuting attorney to mail or deliver to a certain victim or victim's representative certain contact information regarding Maryland VINE services; requiring a prosecuting attorney who files a petition alleging that a child is delinquent for committing an act that could only be tried in the circuit court if committed by an adult to mail or deliver to the victim or victim's representative certain contact information regarding Maryland VINE services; requiring the State Board of Victim Services to develop certain information; and generally relating to victims of crime.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–104(b) and (c) and 11–914

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 412 – Senator Jennings**

AN ACT concerning

**Election Law – Polling Places – Proof of Identity**

FOR the purpose of requiring an election judge to establish a voter's identity by requiring the voter to present certain proof of identity; requiring a voter to vote a provisional ballot if the voter is unable to provide certain proof of identity; prohibiting a person from knowingly and willfully voting or attempting to vote under a false form of identification; making conforming and clarifying changes; and generally relating to requiring voters to present proof of identity at a polling place.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–310 and 16–201  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 413 – Senators Brochin, Madaleno, and Raskin**

AN ACT concerning

**Courts – Service of Process – Increase in Sheriff's Fees – Distribution to Rental Allowance Program Fund**

FOR the purpose of increasing certain fees for service of process of certain papers by a sheriff; requiring that a certain amount of the fees be distributed to a certain fund established for the Rental Allowance Program of the Department of Housing and Community Development; establishing the Rental Allowance Program Fund; providing for the purpose of the Fund; requiring the Department to administer the Fund; specifying that the State Treasurer shall hold the Fund separately and the State Comptroller shall account for the Fund; specifying that the Fund is a special, nonlapsing fund; providing for the composition of the Fund; specifying that certain earnings shall be paid into the Fund; specifying that certain proceeds shall be invested and reinvested in a certain manner; providing that the money in the Fund may be used only for certain purposes; defining a certain term; and generally relating to the Rental

Allowance Program Fund in the Department of Housing and Community Development.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–402  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 4–1401  
Annotated Code of Maryland  
(2006 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Housing and Community Development  
Section 4–1403  
Annotated Code of Maryland  
(2006 Volume and 2011 Supplement)

BY adding to  
Article – Housing and Community Development  
Section 4–1407  
Annotated Code of Maryland  
(2006 Volume and 2011 Supplement)

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

**Senate Bill 414 – Senators Brochin, Klausmeier, Stone, and Zirkin**

AN ACT concerning

**Juvenile Law – Taking Child into Custody – Arrest Warrant**

FOR the purpose of authorizing a law enforcement officer to take a child into custody with an arrest warrant issued by the court; and generally relating to the authority of a law enforcement officer to take a child into custody.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–14  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 415 – Senators Montgomery, Benson, Colburn, Forehand,  
Garagiola, Madaleno, Manno, McFadden, Peters, Pugh, Ramirez,  
Raskin, and Robey**

AN ACT concerning

**Handling Human Remains with Dignity Act of 2012**

FOR the purpose of requiring a funeral establishment or crematory, on taking custody of the body of a decedent, to maintain the body in a certain manner; requiring a funeral establishment or crematory to maintain the body of a decedent with refrigeration and at a certain temperature under certain circumstances; requiring a funeral establishment or a crematory to notify the State Board of Morticians and Funeral Directors and a certain other person if the funeral establishment or crematory cannot comply with certain provisions of this Act; specifying that a certain notice must be given within a certain time period and include certain information; prohibiting the body of a decedent from being embalmed or artificially preserved except under certain circumstances; requiring a funeral establishment or crematory to store the body of a decedent at a specified location; prohibiting a funeral establishment, crematory, or transportation service from transporting or storing the body of a decedent together with certain other remains; prohibiting the body of a decedent, while in the custody of a funeral establishment or crematory, from being transported to a certain facility except under certain circumstances; authorizing the Board to take certain disciplinary action against a licensee who fails to comply with certain provisions of this Act; and generally relating to the transportation and storage of bodies of decedents.

BY adding to

Article – Health – General  
Section 5–513  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations  
Section 7–101(a) and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 7–316(a)(30) and (31)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations  
Section 7–316(a)(32)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 416 – Senator Forehand**

AN ACT concerning

**Orphans’ Court – Minor – Guardianship of the Person**

FOR the purpose of altering the authority of an orphans’ court to exercise jurisdiction over guardianship of the person of a minor by repealing a certain requirement that the presiding judge of the orphans’ court be a member of the Bar of Maryland; providing that an orphans’ court may exercise jurisdiction over guardianship of the person of a minor in uncontested matters; 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  
(2011 Replacement Volume and 2011 Supplement)

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

**Senate Bill 417 – Senators Forehand, King, Madaleno, and Manno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – VisArts**

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 Metropolitan Center for the Visual Arts for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 418 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Crimes – Theft from a Motor Vehicle – Penalties**

FOR the purpose of prohibiting a person from knowingly and willfully obtaining or exerting unauthorized control over personal property located in or on a motor vehicle if the person intends to deprive the owner of the property, uses, conceals, or abandons the property in a manner that deprives the owner of the property, or uses, conceals, or abandons the property knowing that the use, concealment, or abandonment will deprive the owner of the property; establishing penalties for a violation of this Act; providing that a court may not impose certain penalties for a second or subsequent violation of this Act unless the State’s Attorney serves a certain notice on the defendant or defendant’s counsel within a certain period; providing that this Act does not preclude a certain prosecution for theft; establishing that a conviction under this Act does not merge for sentencing purposes into a certain other conviction; defining a certain term; and generally relating to thefts from motor vehicles.

BY adding to

Article – Criminal Law

Section 7–105.2

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

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

**Senate Bill 419 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Criminal Law – Litter Control Regulations and Penalties**

FOR the purpose of clarifying an exception to the prohibition of improper litter disposal relating to disposal in receptacles or containers; altering certain penalties for improper litter disposal based on the amount of litter; requiring a court to notify a person who is convicted of a certain litter disposal offense that the person’s driver’s license may be suspended; requiring a court to notify the Motor Vehicle Administration of a certain violation involving litter disposal; requiring the Chief Judge of the District Court and the Administrative Office of the Courts, in conjunction with the Administration, to establish certain procedures; changing the name used to cite a violation of the litter control law from “Litter Control Law” to “Illegal Dumping and Litter Control Law”; altering the agency authorized, in Baltimore City, to enforce certain provisions relating

to illegal dumping and litter control through the use of surveillance systems; authorizing for a first offense, and requiring for a second or subsequent offense, the Administration to suspend, for a certain period of time, the driver's license of a person who is convicted of a certain litter disposal offense; providing for a certain hearing on the request of a licensee under certain circumstances; altering certain definitions; making certain conforming changes; and generally relating to litter control.

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 10–110 and 10–112  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to

Article – Transportation  
Section 16–206.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 26–305(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 420 – Senator Mathias**

AN ACT concerning

#### **Wicomico County – Election Law – Challengers and Watchers**

FOR the purpose of prohibiting a candidate from being designated as a challenger or watcher at a polling place in Wicomico County for an election in which the candidate's name appears on the ballot; providing for a delayed effective date; and generally relating to designating challengers and watchers in Wicomico County.

BY repealing and reenacting, without amendments,

Article – Election Law  
Section 1–101(l)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 10–311(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 421 – Senator Mathias**

AN ACT concerning

**Public Safety – Explosives – Package of Components**

FOR the purpose of altering the definition of “explosives” to include two or more components that are packaged together for sale and when combined create a bomb or destructive device designed to operate by chemical, mechanical, or explosive action; and generally relating to explosives.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 11–101(a), 11–105(a), and 11–114  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 11–101(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 422 – Senator Frosh**

**EMERGENCY BILL**

AN ACT concerning

**Criminal Procedure – Office of the Public Defender – Representation**

FOR the purpose of repealing the requirement that the Office of the Public Defender provide representation to a certain indigent individual in all stages of a certain proceeding; altering the specific events in which the Office of the Public Defender is required to represent indigent individuals in criminal proceedings; providing that representation is not required to be provided by the Office of the

Public Defender to certain indigent individuals at a certain initial appearance before a District Court commissioner; making this Act an emergency measure; and generally relating to representation by the Office of the Public Defender.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 16–204  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 423 – Senators Pugh, Colburn, Conway, Currie, Ferguson, Gladden, Jones–Rodwell, Kasemeyer, Kelley, King, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Pipkin, Robey, and Rosapepe**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Patricia and Arthur Modell  
Performing Arts Center at the Lyric**

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 Lyric Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 424 – Senators Pugh, Conway, and Jones–Rodwell**

AN ACT concerning

**Baltimore City – Midtown Community Benefits District Management  
Authority**

FOR the purpose of requiring the Mayor and City Council of Baltimore City to require that the Board of Directors of the Midtown Community Benefits District Management Authority include certain members; and generally relating to the Midtown Community Benefits District Management Authority in Baltimore City.

BY repealing and reenacting, without amendments,  
The Charter of Baltimore City

Article II – General Powers  
Section (63)(a)(1)  
(2007 Replacement Volume, as amended)

BY repealing and reenacting, with amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (63)(f)  
(2007 Replacement Volume, as amended)

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

## LETTERS OF REASSIGNMENT

### ANNOUNCEMENT BY THE PRESIDENT

**Senate Bill 343 – Senators Pugh, Benson, Conway, Forehand, Gladden, Jones–Rodwell, Kelley, King, McFadden, Montgomery, Muse, Peters, Ramirez, Raskin, and Rosapepe**

AN ACT concerning

**State Government – Brokerage and Investment Management Services – Use of Minority Business Enterprises – Application**

Reassigned to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

## RECESS

At 11:50 A.M. on motion of Senator Garagiola, seconded, the Senate recessed until 12 P.M. on Wednesday, February 1, 2012, to the House Chamber for the State of the State Address.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Wednesday, February 1, 2012**

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At 11:56 A.M. the Senate resumed its session.

**JOINT SESSION**

Delegates Washington and Costa escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

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

**QUORUM CALL**

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

(See Roll Call No. 103A)

Speaker Busch called for the House roll.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 138 Members present.

(See House Roll Call No. 50)

A majority of the House and the Senate being present, Speaker Busch declared both bodies in Joint Session.

Senators Gladden, Raskin and Reilly and Delegates V. Turner, Nathan–Pulliam and Frank escorted the Lieutenant Governor Anthony G. Brown to the Rostrum.

Senators Garagiola, Pugh and Pipkin and Delegates Olszewski, Pena–Melnik and Hogan 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**  
GOVERNOR MARTIN O'MALLEY

The State House  
Annapolis, Maryland  
February 1, 2012

Thank you all very much.

Let me begin by thanking God for the goodness of Maryland – for her natural beauty, for the goodness of her people, for the hope we see in the eyes of each of our children.

Let me also begin by thanking the men and women of Maryland who serve in our country's armed forces; I also want to thank the parents and loved ones of our fallen heroes for their sacrifice.

Thank you, Governor Glendening and Governor Hughes, for your continued service on behalf of the people of Maryland.

Thank you, President Miller and Speaker Busch, for so ably and effectively leading your chambers through these challenging years of recession and now, jobs recovery.

Thank you, Attorney General Gansler, Treasurer Kopp, and Comptroller Franchot, for your work in protecting the dignity of every individual and in advancing the common good.

Thank you to my colleagues in county and municipal governments who have battled nobly on the front lines of our jobs recovery – and the defense of our quality of life – in these extremely challenging times.

Thank you to the men and women of law enforcement, correctional officers, parole, probation, and juvenile service agents, and committed U.S. Attorneys and State's Attorneys throughout our State, whose hard work has driven violent crime down to the lowest levels in thirty years.

Thank you, Mayor Stephanie Rawlings-Blake, for Baltimore's extraordinary leadership in saving lives and driving violent crime down to record lows.<sup>1</sup>

Thank you and welcome, Ambassador Arturo Sarukhan of Mexico; Ambassador Michael Collins of Ireland; Ambassador Ichiro Fujisaki of Japan; Ambassador Sergey Kislyak of Russia; and Ambassador Duk-soo Han of Korea.

Thank you, Katie O'Malley and Attorney General Joe Curran. And thank you to the members of the O'Malley-Brown Cabinet for your high competence, for your effectiveness, for delivering results, and for caring about every citizen we serve.

And thank you, men and women of the Maryland General Assembly, for putting the best interests of the families of Maryland first; and for making the right decisions – however unpopular or difficult – for the sake of the better future our children deserve.

My fellow Marylanders:

We are here because we care about people, all people; every person, every family. And we know that in order to tackle the challenges at hand and to get all our citizens back to work, we must act as a people.

Five years ago, in our first State of the State together, I declared before you the goals of this Administration, first among them “*to strengthen and grow our middle class and our family-owned businesses and our family farms.*” This remains the single overarching indicator of progress for our State and the better future we seek for our children.

There is nothing more important for a family’s security and future than a job. We are all in this together. And in this important work, the state of our State is strong.

With tough but fiscally responsible choices,<sup>2</sup> we are moving our State forward – out of an era of recession, foreclosure,<sup>3</sup> and job loss;<sup>4</sup> and into a new era of job creation and greater opportunity for all.

We have not yet recovered all the jobs that we lost during the Bush recession, but we are moving forward steadily.<sup>5</sup>

As President Obama stated last week, we must create an economy that is “*built to last.*”

And in this work, Maryland is, once again, leading the charge for our country’s better future.

### **THE ACTIONS WE TAKE**

By improving education<sup>6</sup> and by harnessing innovation;<sup>7</sup> by modernizing our Port,<sup>8</sup> opening the Inter-County Connector,<sup>9</sup> expanding rural broadband,<sup>10</sup> building new schools, modern classrooms<sup>11</sup> and other critical infrastructure;<sup>12</sup> by making college and skills training more affordable<sup>13</sup> for more families,... we have strengthened the connections and improved the conditions that allow business to create jobs.

Expanding opportunity to strengthen and grow our middle class is a choice. Because of your choices, more Marylanders are working this year than last.<sup>14</sup>

Marylanders like Kevin Reed of Prince George’s County are working again because you chose to make modern investments in Maryland’s Innovation Economy. After taking the initiative to complete a solar skills training program sponsored by the

Prince George's Workforce Corporation and IBEW Local 26,<sup>15</sup> Kevin landed a green job installing solar panels at Fed Ex Field, home of our Washington Redskins.

More Marylanders are working again because of small business owners like Susan Aplin, who recently moved Bambeco, her eco-friendly home furnishing company, from West Virginia to Baltimore – with the support of an investment by the Maryland Venture Fund.<sup>16</sup> Last year, Susan hired nine new employees. This year, she plans on hiring ten more of our fellow citizens. Susan is with us today!

Marylanders like Jacqueline Mobio of Brandywine have been able to save their homes because you have taken action to drive down home foreclosures. Listen to this: Jacqueline operates a daycare business out of her home. When the recession hit, fewer and fewer moms and dads were able to afford to send their kids to daycare, and Jacqueline fell behind on her mortgage. At risk of losing both her home and her business, Jacqueline tried to no avail to negotiate with her mortgage company. Then she heard an advertisement for our State's HOPE Hotline.<sup>17</sup> Through the hotline she was connected to KAIROS Development Corporation – a non-profit led by Reverend Kerry Hill. KAIROS was able to negotiate a loan modification that reduced Jacqueline's monthly payments by more than \$1,000 a month,... allowing Jacqueline to save both her business and her home.

By investing in our One Stop Centers, you are helping Marylanders like Dave Bryant move forward from unemployment to reemployment. Dave took the initiative to visit our One Stop Center in Carroll County. While training through Pathways to Cyber Security<sup>18</sup> at Carroll Community College, Dave also participated in weekly study groups at the One Stop Center. With hard work and resilience, Dave recently landed a cyber security job in Emmittsburg.

Linda Gillis of Wicomico County was also able to find a new job with the help of our State's One Stop Centers.<sup>19</sup> I would like to share with you some of her own words. Linda writes: *"I lost my job in the middle of June. Being able to use the computers was a real 'lifesaver' for me as I do not have the internet at home,... The staff behind the desk at the [One Stop Center] were always helpful. They read over my cover letters, thank you notes, and applications, always giving good suggestions,... What I feel helped me the most was Susan Willey's coaching on interview technique,... Susan [a DLLR state employee], knowing when my interview was, called me the day before to ask if it would be a help to me to practice some questions,... I got the job! ... I am very grateful to have had such invaluable resources and assistance. It is part of the reason I now have a position that I call my dream job."*

Linda's dream job actually pays more than the job she lost. And she and Coach Susan from our One Stop Center are with us today.

While more Marylanders are working this year than last, still too many of our people continue to search for work.

Better isn't good enough for the mom or dad who continues to search for a job.

This is why the most important job we create is the next one.

This is why everyone is needed.

This is why I am asking everyone to do more.

### **THE BETTER FUTURE WE CHOOSE**

Over the last six years, I have asked you to make the right decisions and, often, the tough decisions to create jobs and move Maryland forward into better times. In a period of our nation's history,...when short-sighted choices have severely under-capitalized the job creating potential of America,... you have made better and stronger choices for Maryland.

Because of your wise and balanced decisions about where to cut, and your smart decisions about where to invest, Maryland's businesses are creating jobs again. Last year, Maryland businesses created more new jobs than we have in any year since this recession hit, and at twice the rate of our good neighbors in Virginia.<sup>20</sup>

And together we have driven unemployment down to a three-year low.<sup>21</sup>

By restoring fiscal responsibility with a balanced approach, you have secured Maryland's place as one of only a handful of states which earns a Triple A bond rating from all three rating agencies;<sup>22</sup>

Because of your decisions and a leaner government<sup>23</sup> that works to deliver results, college is more affordable,<sup>24</sup> healthcare is more available,<sup>25</sup> and more moms and dads in Maryland are working this year than last;

And because you have had the courage to make the right investments,... Maryland schools have been named #1 in America for an unprecedented four years in a row<sup>26</sup>,... Our high schools students are achieving the best AP scores in the nation. Our high schools are graduating a record percentage of our students. And our colleges are graduating 21% more science, technology, engineering, and math students.<sup>27</sup>

This has never happened before and it did not happen by accident; hardworking teachers, hardworking students, and caring parents have all been supported by your strong choices.

With a balanced approach of cuts and revenues, you wisely chose to invest in education even as you made record cuts almost everywhere else.

Likewise, our State's Innovation Economy is not merely the product of geography, it is also the product of the important choices and investments we make together in initiatives like InvestMaryland,<sup>28</sup> the Biotech Tax Credit,<sup>29</sup> the Research &

Development Tax Credit, the healing power of stem cell research,<sup>30</sup> the CyberMaryland<sup>31</sup> initiative and rural broadband.

None of these achievements happened by themselves.

Progress is a choice.

Strengthening and growing our middle class is a choice.

We can be the victims of circumstance or we can build a better future.

*As we discussed last year: “there are costs and there are values,... We cannot kid ourselves into thinking that by failing to invest in our future, we are somehow saving resources,... that we are being ‘clever’ somehow and saving money. For everything has a cost. Consumption has a cost,... Inaction,... has a huge cost. Failing to make decisions that are consistent with the best interests of the next generation,... this too has a cost.”*

So without any sugar-coating, let me plainly lay out the tough choices, the costs, and the trade-offs before us.

#### **CREATING JOBS BY THE CHOICES WE MAKE**

This year’s budget is a “jobs budget” – after cutting the growth rate to 1.9%<sup>32</sup> it does more for job creation than any budget in recent history. The capital budget alone is projected to support 52,000 jobs building modern schools, modern roads, modern transit, and modern clean water infrastructure.<sup>33</sup>

To create jobs, a modern economy requires modern investments: investments by all of us, for all of us.

That’s not a Democratic or a Republican idea; it’s an economic and historic truth. It was true for our parents, it was true for our grandparents, and it is a truth that has built our State and has built our country.

To expand opportunity and to strengthen and grow Maryland’s middle class, this budget invests to create and save jobs:

- 78,000 teaching jobs at public schools across Maryland;<sup>34</sup>
- 11,650 jobs tearing down temporary learning shacks and replacing them with modern classrooms;
- 25,000 crime-fighting jobs as police officers and others make our neighborhoods safer;<sup>35</sup>
- 19,000 jobs through record procurement at businesses led by women and minority owners.

- Several thousand jobs, thanks to the venture capital dollars that your vote for InvestMaryland will infuse into Maryland's Innovation Economy this year;<sup>36</sup>
- 400 jobs building facilities like the new Math & Engineering Building at Cecil Community College, the new Nursing & Allied Health building at Harford Community College; and the new Health Sciences building at Howard Community College;
- 2,750 jobs building facilities like the new Center for Communications and Information Technology at Frostburg State, and the new School of Business complex at Morgan State University;
- 2,500 jobs improving local drinking water systems and upgrading wastewater treatment plants,<sup>37</sup> including facilities in Salisbury, Frederick, Lexington Park and Back River in Baltimore City.
- 1,100 jobs building affordable rental housing units which are in such high demand;<sup>38</sup>
- 294,000 jobs in Maryland's nation-leading health sector that we support through our work to drive down costs, improve quality, expand access<sup>39</sup> and reduce health disparities,<sup>40</sup>... for a healthier and an even more productive workforce.<sup>41</sup>

And beyond this budget, together we will create 1,500 jobs<sup>42</sup> installing smart meters in homes all over Maryland that help families save on their electric bills.

With Lt. Governor Anthony Brown's leadership and your vote, we can also create thousands more jobs<sup>43</sup> – on top of the 5,700 we're bringing to the Port of Baltimore by leveraging private dollars for the public good through public-private partnerships.

## **BALANCE**

We balance these job investments with cuts, revenues, and regulatory reform.

With \$800 million in spending cuts and reductions, this budget brings total cuts and reductions over the life of this Administration to \$7.5 billion.

In fact, to achieve balance over the last three years, we have relied almost entirely on cuts. But with 84 cents of every dollar we invest allocated to public education, public safety, and public health – and with one of the smallest state government workforces<sup>44</sup> in the country – every passing year leaves fewer and fewer responsible options for budget cutting.<sup>45</sup>

This budget therefore calls for new revenues in support of two important investments: one is the cost of retaining quality teachers in our classrooms, and the second is clean water infrastructure.

### **DOING MORE TO PROTECT EDUCATION AND THE BAY**

Educating our children is a shared responsibility between the State and the Counties.

After rebalancing and saving our defined benefit pension system last year,<sup>46</sup> this session, we are asking you to bring Maryland into closer alignment with how most states share teacher retirement system costs. Our proposal balances this responsibility 50/50 between the State and the Counties.<sup>47</sup> It also provides \$244.5 million to the counties to cover the additional costs in year one.

No prior proposal on this issue has ever offered this much help to the counties.

We will partially fund this education cost, along with other priorities, by capping income tax deductions and phasing out some exemptions for the 20% of us who earn more than others.

Asking our fellow citizens to do more will not be popular. But without anger, fear or meanness, let's ask one another: how much less do we think would be good for our children's future? How much less education do we want? How much less public safety? How many fewer jobs? There are costs, and there are values.

Along these lines, my Republican predecessor called the "flush tax" one of his most important accomplishments while in office. By allowing us to make green upgrades to wastewater treatment plants,<sup>48</sup> we have greatly reduced the pollution flowing into our Bay.

But the fee, however, was never sufficient<sup>49</sup> to cover the work<sup>50</sup> that has to be done. While others have suggested tripling the flush tax,<sup>51</sup> I believe that the fairest way forward is to double the yield by switching most households to a fee structure based on consumption – whereby, the less you use, the less you pay.<sup>52</sup> This will double the amount of work we are able to do for the Bay.

### **TRANSPORTATION: COSTS & VALUES**

In the next few days, I will be submitting a bill for your consideration on transportation funding.

Maryland has some of the worst traffic in America.<sup>53</sup> We pay a heavy price in terms of the time we spend idling in bumper-to-bumper traffic<sup>54</sup> when we could be at home with our families.

With a growing population and aging infrastructure, we might soon pay an even steeper price,... bridges are not like trees; they do not grow stronger with age.

Today, with gasoline at \$3.50 per gallon, our primary source of revenue for transportation is the same flat 23 cents it was during Governor Schaefer's second term, when gas was \$1.08 per gallon.<sup>55</sup>

Meanwhile, it costs more to paint the Bay Bridge today than it did to build the first span.<sup>56</sup>

As the Baltimore Sun editorializes, "*If Maryland continues to embrace a 1992 tax rate, it will have to settle for crumbling 1992-era infrastructure.*"<sup>57</sup>

Through the years – as you know – there have been many recommendations on funding options, but no one has wanted to ask people to do more. The best remaining option in my view is to repeal the current sales tax exemption on a gallon of gasoline; phasing it out by two percent a year, with a "braking mechanism" to protect consumers in the event that the price of gas spikes. We should also enhance protections in the law to better safeguard these new investments in the Trust Fund.

An enhanced investment on this scale would allow us to create 7,500 new jobs building needed roads, bridges, and public transit throughout our State<sup>58</sup>,...

Now look, I know that every family is still feeling the hurt of this recession. The people I serve are the people you serve. I know this is a very, very difficult task. But nobody else is going to do this for us,... except for us.

### **MORE WORK TO DO**

Beyond these issues, our work to eradicate childhood hunger continues, our work to reduce infant mortality continues, our work to expand drug treatment continues.<sup>59</sup>

And there are other things we can do – and should do – to create jobs, expand opportunity and improve our quality of life this session.

With your vote, we can forge an historic partnership between Johns Hopkins, Morgan State University, the University of Maryland's campuses, and your state government with the goal of transferring 40 new technologies – new ideas – out of the lab and into the economy to create jobs – within a year.<sup>60</sup>

Maryland is already #1 in research. It is unacceptable that we rank 37th in transferring that research and technology into job creation.<sup>61</sup> For all of our assets – and all of the resources we've invested together – we should be #1 in technology transfer and the commercialization of new ideas into jobs.

Because too much paperwork means less time putting Marylanders back to work – through Maryland Made Easy and Fast Track we are reducing the administrative burden on business. We have already begun streamlining permit applications. And this session, we are submitting 744 pages of regulations for you to reform, reduce and

remove from the books.<sup>62</sup> I welcome your ideas and support in finding more pages to cut.

### **MARYLAND'S ENERGY FUTURE**

In our pursuit of a cleaner and more reliable energy future for Maryland, this Administration has entered into a settlement with Exelon Energy with some very positive results for Maryland families. Not only will ratepayers and families in need of energy assistance receive some immediate benefits, but Exelon has also agreed to build a new gas-fired power plant in Maryland – the first plant to be built in Maryland in more than a decade.<sup>63</sup>

Under the settlement, Exelon has also agreed to create 6,000 new Maryland jobs, with investments in solar, onshore wind, and in the first stages of Atlantic offshore wind.<sup>64</sup>

Over the interim, Chairman Davis, Chairman Middleton and their respective committees have done a lot of good work developing a consensus approach for Maryland offshore wind.<sup>65</sup> I greatly appreciate their hard work and I look forward to signing the legislation that their Committees put forward this session.

### **PROTECTING MARYLAND AGRICULTURE AND THE BAY**

I also appreciate the tremendous amount of time and consideration that many of you have given over the interim to curbing the growing problem of septic pollution from large-scale housing developments;<sup>66</sup> large-scale housing developments that threaten the Bay and the future of Maryland agriculture.

A house on septic causes six to ten times the amount of pollution to the Bay as a house on public sewer.<sup>67</sup> In fact, of the four largest causes of nitrogen pollution into the Bay, none is growing faster than septic pollution.<sup>68</sup> The moderate, reasonable, and tiered approach that the Task Force crafted is patterned on what several rural counties are already doing to protect their farmland and protect the waters of the Bay.<sup>69</sup>

Along with President Miller's proposal to exempt working farms from the estate tax, this measure will much better protect the agricultural lands<sup>70</sup> upon which family farming depends; it will better protect the waters of the Bay;<sup>71</sup> and it will save all of us a huge amount of money in remediation costs down the road.

### **EQUAL RIGHTS AND RELIGIOUS FREEDOM**

I'd like to talk with you about equality of civil marriage rights for all Marylanders.

The very reason our State was founded was for religious freedom – and at the heart of religious freedom is respect for the freedom of individual conscience.

The way forward, the way to sustain and enhance our common life together, is equal respect for the freedom of all. We all want the same thing for our children; we want

our children to live in a loving, caring, committed, and stable home protected equally under the law.

It is not right or just that the children of gay couples should have lesser protections than the children of other families in our State. Nor would it be right to force religious institutions to conduct marriages that conflict with their own religious beliefs and teachings.

In Maryland, we already recognize civil marriages performed in other states and just over our border in the District of Columbia. It is time to join with clergy, faith-based organizations, civil rights organizations, community leaders, and individuals across our State<sup>72</sup> to pass a civil marriage law that protects religious freedom and civil marriage rights equally.

## CONCLUSION

I leave you with these final thoughts.

Each of you, here, has responded to a noble calling in your hearts to serve others.

And history has determined that you should serve your neighbors – the people of our State – in a decision-making role for all, at a time of difficult trade-offs and choices for all.

You are each an integral and indispensable part of our people's progress in consciousness,... of our people's progress in caring,... of our people's progress in freedom,... of our people's progress in our shared sense of what is right and what is just, under the law, for all.

Where there are no easy solutions or simple answers – the greatest counsel we have is the truth in our own hearts.

For at a personal level far deeper than any Party, there is something that stirs deeply in each of us when we talk with a mom or dad, who, because of our choices, has found a job at long last to provide for their family's future,....

There is a something that stirs deep in our beings when we speak with a mom or dad who managed to save their home from this terrible wave of foreclosures, in part, because of the choices and the actions that we have taken together, here, in this place of decision,...

It is the same feeling that so many of us experienced a few short weeks ago at the hope we saw in the eyes of little Piscataway<sup>73</sup> girls and boys gathered in this historic rotunda – with their parents and grandparents – when Maryland recognized the Native People of this place, our place, for the first time in 380 years,...

I am sure that there are many who in the hindsight of history will say “*why did it take them so long?...*”

If there is a common thread running through our efforts together, it is the thread of human dignity; the dignity of work,... the dignity of a child’s home,... the dignity of every individual.

A great man once wrote that, “*...there is an absolute direction of growth,... Life advances in that direction,... Life is never mistaken, either about its road or its destination,... it tells us toward what part of the horizon we must steer if we are to see the dawn light grow more intense.*”<sup>74</sup>

May the choices we make on behalf of the people of Maryland – the choices for job creation, the choices for human dignity, the choices for a better future – be the right choices for the generations counting on ours.

Thank you.

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<sup>1</sup> Homicides in Baltimore City declined from 223 in 2010 to 196 in 2011, a reduction of 12%, and the second lowest level on record. In 2010, Baltimore City achieved the lowest number of violent crime incidents and lowest violent crime rate on record.

<sup>2</sup> With the proposed FY2013 budget, spending reductions during the O’Malley–Brown Administration total \$7.5 billion – the most ever for a six year period in Maryland – and position abolishments exceed 5,500.

<sup>3</sup> For 17 consecutive months, since August 2010, Maryland’s rate of foreclosure has declined on a year–over–year basis.

<sup>4</sup> Last year Maryland added 30,300 new jobs (January to December)–the largest job growth since 2005.

<sup>5</sup> Maryland has recovered 45% of the 145,400 jobs lost during the recession–twice as much as the national recovery rate of 30%.

<sup>6</sup> In 2011, Maryland elementary and middle school students achieved their highest ever Maryland School Assessment (MSA) in reading; middle school students achieved their highest ever scores in math; and, Maryland’s high school graduation rate reached a record high.

<sup>7</sup> The Milken Institute ranks Maryland as one of America’s Top 2 states in its 2010 Technology and Science Index; the Kauffman Index ranks Maryland as one of the 3 states best positioned to win in the new economy in its 2010 State New Economy Index; and the U.S. Chamber of Commerce ranks Maryland as a Top 5 state for growth in its Enterprising States 2011 Report.

<sup>8</sup> In 2009, Governor O'Malley announced an agreement that will allow the Maryland Port Administration to lease its 200-acre Seagirt Marine Terminal to Ports America and in return, Ports America has agreed to construct a 50-foot berth for the Port of Baltimore. The partnership is expected to support 5,700 direct and indirect jobs and will generate \$15.7 million per year in new taxes for Maryland.

<sup>9</sup> At the peak of construction, the Intercounty Connector project supported more than 4,500 jobs.

<sup>10</sup> The development of the One Maryland Broadband Network—an investment of \$156 million in federal, State and local funds to connect all 24 counties via high-speed fiber-optic broadband—will support up to 1,700 jobs.

<sup>11</sup> The proposed FY2013 capital budget would invest nearly \$373 million in public school construction – bringing the six year investment to \$2 billion – and, including the local funds it will leverage, support 11,650 jobs in FY2013.

<sup>12</sup> The proposed FY2013 capital budget would invest \$2 billion in 1,500 transportation projects—supporting 19,311 jobs.

<sup>13</sup> Maryland froze in-state tuition at state colleges and universities four years in row and has held increases to a modest 3% for the last two years. During that time, Maryland's ranking for cost of tuition at public four-year institutions improved from 7th highest to 23rd.

<sup>14</sup> From January through December 2011, 38,000 Marylanders reported moving from unemployment to employment and the unemployment rate improved from 7.2% in January to 6.7% in December.

<sup>15</sup> Through a \$5.8 million grant from the Obama Administration, the Maryland Energy Sector Partnership will train 2,000 Marylanders to compete for green jobs. To date, the Partnership has enrolled over 880 Marylanders in four programs, including the Go Solar! initiative.

<sup>16</sup> The Maryland Venture Fund is a state-funded seed and early-stage equity fund that receives annual allocations from the Maryland State Legislature and makes direct investments in technology and life science companies and indirect investments in venture capital funds. In addition to \$6.5 million it will receive from the federal State Small Business Credit Initiative (SSBCI) in 2012, the Maryland Venture Fund will receive an infusion of cash from Invest Maryland this year.

<sup>17</sup> Through the HOPE network, the O'Malley-Brown administration has counseled over 70,000 homeowners.

<sup>18</sup> Over the course of three years, Pathways to Cybersecurity – a partnership encompassing Baltimore City, Anne Arundel, Carroll, and Howard Counties – will

assist 1,000 new, dislocated, underemployed, recently separated veterans, and incumbent workers in obtaining the cybersecurity certifications identified as critical industry shortages by regional businesses and government agencies.

<sup>19</sup> During FY2011, more than 205,000 Marylanders received services at Maryland's 35 One Stop Employment Centers, including more than 133,000 who received staff-assisted services.

<sup>20</sup> Maryland's 1.2% rate of new job creation from January to December last year was twice the rate of neighboring Virginia, at 0.6%. In the private sector, Maryland created new jobs at a 1.3% growth rate—nearly 2.5 times as much as Virginia's 0.5% rate.

<sup>21</sup> In December 2011, Maryland's unemployment rate improved to 6.7% – the lowest level since February 2009.

<sup>22</sup> Maryland is one of nine states to hold a Triple-A bond rating from all three major credit rating agencies (Moody's; S&P; and Fitch).

<sup>23</sup> Since FY 2008, the O'Malley–Brown Administration has abolished 5,500 positions; the number of executive branch positions per capita is at the lowest level since FY 1973.

<sup>24</sup> Enrollment at Maryland's colleges and universities reached an all-time high in fall 2011. Enrollment at four-year institutions has grown by 21% since 2005.

<sup>25</sup> Since January 2007, the O'Malley–Brown Administration has expanded healthcare coverage to over 309,600 Marylanders. The proposed FY2013 budget would increase that number to 400,000 by the summer of 2013.

<sup>26</sup> Last month, Education Week magazine rated Maryland's public school system #1 in the nation for the fourth consecutive year, highlighting Maryland's leadership in the areas of teacher supports, alignment and education funding.

<sup>27</sup> Under Governor O'Malley, STEM (Science, Technology, Engineering, and Math) undergraduate degrees awarded at public four-year institutions in Maryland have increased from 6,440 in 2006 to 7,775 in 2011 – a 21% increase.

<sup>28</sup> *InvestMaryland* is a premium tax credit program designed to create jobs and revitalize venture capital funding in Maryland. The \$70 million fund is the largest venture capital investment initiative in the State's history. Initial VC funding will be awarded in summer 2012.

<sup>29</sup> The proposed FY2013 budget protects a record \$8 million for the Biotech Tax Credit to help spur investment in Maryland biotechnology companies.

<sup>30</sup> The proposed FY2013 budget invests \$10.4 million Maryland's Stem Cell Research Fund – bringing the six-year total to \$101.6 million – so that research labs can continue to make progress in this groundbreaking field.

<sup>31</sup> *CyberMaryland* is an initiative to leverage Maryland's assets for economic growth and establish Maryland as the national epicenter of cyber security.

<sup>32</sup> Total spending growth in the Governor's proposed FY2013 budget is held to 1.9%; General Fund spending declines by \$56 million.

<sup>33</sup> The proposed capital budget, along with the local dollars leveraged, would support 52,000 direct or indirect jobs.

<sup>34</sup> Governor O'Malley's proposed FY2013 budget maintains investments in Maryland's best-in-the-nation schools and invests a record \$5 billion in direct education aid that will be distributed among Maryland's 24 local jurisdictions.

<sup>35</sup> In Maryland, there are 15,604 sworn law enforcement officers in Maryland, 7,022 correctional officers, 968 parole and probation officers, 739 juvenile services detention officers and case managers, and 649 State's Attorneys.

<sup>36</sup> The Maryland Venture Fund estimates that for every \$100,000 of investment by InvestMaryland, 1 job will be created. In addition, every \$1 of InvestMaryland funds invested by the State is estimated to leverage \$10–15 in additional investments. With \$70 million, InvestMaryland is estimated to create between 7,000 and 10,500 jobs.

<sup>37</sup> The Chesapeake Bay Foundation's Debunking the "Jobs Killer" Myth report notes that the number of environmental clean-up and monitoring jobs in Pennsylvania, Maryland, and Virginia has surged 43 percent over the last two decades, from 98,000 jobs to 140,000 jobs, with a significant portion of this growth coming from required sewage and water system improvement projects.

<sup>38</sup> Governor O'Malley's proposed FY2013 capital budget allocates \$15 million for the Rental Housing Works program that will leverage \$285 million in additional private sector funding to build 1,700 new affordable rental housing units and support nearly 1,100 jobs.

<sup>39</sup> In April 2011, Governor O'Malley signed legislation to implement one of the key components of the Affordable Care Act – the Health Benefit Exchange. Maryland's Health Benefit Exchange, an independent public entity, will allow Marylanders to compare rates, benefits, and quality among insurance plans. The Exchange will be operational in 2014.

<sup>40</sup> Under the leadership of Lt. Governor Anthony Brown, the Maryland Health Improvement and Disparities Reduction Act of 2012 (SB 234) will create a series of geographically based Health Enterprise Zones (HEZs) in underserved communities impacted by health disparities.

<sup>41</sup> The health care industry added nearly 12,000 jobs from 2009 to 2011. In November 2011, Lt. Governor Anthony Brown and the Governor’s Workforce Investment Board (GWIB) released “Preparing for Reform: Health Care 2020,” a detailed plan to increase Maryland’s primary care workforce.

<sup>42</sup> With support from the Obama Administration, Baltimore Gas and Electric and Pepco are replacing existing electric (BGE and Pepco) and gas (BGE) meters with smart meters; these projects are supporting nearly 1,500 direct and indirect jobs in Maryland.

<sup>43</sup> The O’Malley–Brown Administration’s legislation (SB 358) would create a transparent, accountable and predictable process for future public–private partnership infrastructure projects.

<sup>44</sup> In their report entitled, US Municipal FOCUS: State and local Government employment – How Significant?, RBC Capital Markets Corporation reports Maryland has the 8th smallest amount of state and local government employees as a percentage of employment.

<sup>45</sup> In the proposed FY2013 budget, 55% of budget–balancing actions are General Fund cuts, which amount to \$610 million.

<sup>46</sup> Following reforms approved in 2011, the state’s retirement system is expected to achieve 80% funding—a nationally recognized benchmark—by FY 2021. These reforms represent a net savings to the State over ten years of more than \$1 billion.

<sup>47</sup> The proposed FY2013 budget would share 50% of combined costs of social security and teachers’ retirement contributions with local jurisdictions. Local jurisdictions currently pay one–third of the combined costs. In aggregate, this proposal would share \$239 million of combined costs with local jurisdictions.

<sup>48</sup> During the initial two–year bay restoration milestones, wastewater treatment plant upgrades constituted 25% of 3.87 million pounds of Nitrogen reduced in the State. This was the 2nd highest category behind cover crops (34%), and ahead of nutrient management regulations (10%), and the Healthy Air Act (8%).

<sup>49</sup> There is a projected shortfall of \$385 million in the Bay Restoration Fund which must be addressed in order to complete the upgrades of the 67 largest wastewater treatment plants by the deadline included in the Watershed Implementation Plan.

<sup>50</sup> By the end of 2011, the State of Maryland upgraded 23 out of 67 targeted major wastewater treatment plants in places like Chestertown, Crisfield, Delmar, Elkton, Federalsburg, Hagerstown, Perryville, and Salisbury and more than 3,000 septic systems—improvements that will prevent an additional 1.48 million pounds of nitrogen and phosphorous per year from entering the Bay.

<sup>51</sup> The Governor's Task Force on Sustainable Growth and Wastewater Disposal recommended a phased increase of the Bay Restoration Fund residential fee to \$5 per month beginning in FY2013 and \$7.50 beginning in FY2015.

<sup>52</sup> SB 240 would modify the Bay Restoration residential fee such that the average fee would increase from \$2.50 per month to \$5.00 per month. Low end users (e.g., 2,000 gallons per month) would see a lower fee (\$1.80 per month) and higher end users (e.g., 8,000 gallons per month) would see an increase (\$9.30 per month). Homes not metered for water use, the current fee of \$2.50/month will double to \$5.00/month. However, those residents who qualify for an exemption from the fee because of income will be encouraged to apply to the local jurisdiction for this exemption.

<sup>53</sup> The average daily commute for Marylanders is now nearly 32 minutes—the longest in the country. According to the latest survey by the Texas Transportation Institute, the Washington, D.C. region ranks number one for the time lost by commuters due to congestion in one year—with 74 hours. Baltimore ranks sixth with 52 hours lost each year.

<sup>54</sup> US Census Bureau data show that Marylanders spend more than 700 million hours commuting per year, time valued at almost \$9 billion.

<sup>55</sup> In May 1992, the price of a gallon of regular gasoline was \$1.08.

<sup>56</sup> It cost \$45 million to build the Eastbound span of the Bay Bridge and \$72 million to re-paint that span.

<sup>57</sup> "The Cost of Transportation," *The Baltimore Sun*, January 31, 2012.

<sup>58</sup> Applying the sales tax exemption on gasoline would raise \$613 million in new revenue once fully implemented. These funds would support 7,500 direct or indirect jobs.

<sup>59</sup> Under Governor O'Malley, the number of eligible children eating school breakfast has increased by 27%; the number of eligible children eating summer meals increased by 37%. The O'Malley–Brown Administration set a goal to reduce infant mortality in Maryland 10% by 2012. As of 2010, infant mortality is down by 16% to its lowest level ever recorded – meeting and exceeding the 2012 goal. The O'Malley–Brown administration has worked to increase the number of average daily active patients in State-funded substance abuse treatment 22% between the baseline year of FY 2008 and FY 2011.

<sup>60</sup> The Maryland Innovation Initiative is a groundbreaking joint venture between Maryland and its leading academic research institutions to accelerate commercialization of technology.

<sup>61</sup> Maryland ranks 1st among states in federal obligations for research and development (\$13.3 billion) on a per capita basis, but 37th in the Kauffman Foundation's Index of Entrepreneurial Activity.

<sup>62</sup> In October 2011, Governor O'Malley signed an Executive Order for a 60-day review of current State regulations to find ones that could be reformed and/or eliminated in order to spark faster job creation. The review is complete and the Governor is recommending 149 regulations for revision, streamlining or repeal to the General Assembly. These regulations add up to 744 pages.

<sup>63</sup> The last year a major gas fired power plant was completed was 2003; under the State of Maryland's agreement with Exelon, the new gas fired plant must be completed and go online by 2015.

<sup>64</sup> In December 2011, the State of Maryland reached a settlement with Exelon Corporation, Constellation Energy, and Baltimore Gas and Electric that will lead to 125 MW of non-solar Tier I generation, which, if all land-based wind, would double the State's wind resources and 30 MW of solar generation, nearly doubling the State's solar resources.

<sup>65</sup> The Maryland Offshore Wind Energy Act of 2012 (SB 237) establishes an offshore wind renewable energy credit (OREC) carve-out within Maryland's existing Renewable Portfolio Standard to encourage private investment in harnessing the powerful gusts of wind blowing off of Maryland's shores and to create thousands of jobs in a new offshore wind industry.

<sup>66</sup> If current septic sprawl trends continue, the Maryland Department of the Environment estimates that 120,000 new septic systems will be added over the next 25 years – representing a 31% increase in Maryland's total Nitrogen pollution from septic systems.

<sup>67</sup> An average household on septic systems will produce 10 times more combined wastewater and stormwater pollution to the environment than an average household that will use Maryland's upgraded sewer systems.

<sup>68</sup> From 2000 to 2010, the only pollution category to see a rise in annual lbs. of Nitrogen entering the Chesapeake Bay has been Septic Systems. It has gone up by 50 percent while WWTP have seen a decline of 49 percent, Farms have decreased by 31 percent, and stormwater has gone down by 17 percent.

<sup>69</sup> Baltimore, Kent, Montgomery and Worcester and other counties are protecting their agricultural and forest lands from major septic developments through rural zoning. For example, Worcester County, one of several counties that testified to the Taskforce on Sustainable Growth and Wastewater Disposal, prioritizes "resource conservation and protecting its rural and coastal character" in county planning. Planning "directs growth toward appropriate places while maintaining natural resources."

<sup>70</sup> The O'Malley–Brown Administration has preserved over 107,000 acres of land since January 2007 through the Maryland Agricultural Land Preservation, Program Open Space, Rural Legacy, the Maryland Environmental Trust, and Conservation Reserve Enhancement Program.

<sup>71</sup> The number of new households projected to use sewer systems is three times the number projected to use septic systems, but pollution from this septic system use to our rivers and streams is likely to be twice that of the pollution from all new households on central sewer.

<sup>72</sup> The Marylanders for Marriage Equality coalition includes the NAACP– Baltimore Chapter, 1199 SEIU, ACLU–Maryland, Progressive Maryland, Equality Maryland, Human Rights Campaign, National Black Justice Coalition, National Gay and Lesbian Task Force, Family Equality Council, Catholics for Equality, Jewish Community Relations Council of Greater Washington, Maryland Faith for Equality, Unitarian Universalist Legislative Ministry of Maryland, Parents, Families and Friends of Lesbians and Gay (PFLAG), Maryland National Organization for Women (NOW), Baltimore Black Pride Inc., National Center for Lesbian Rights and SEIU MD/DC State Council.

<sup>73</sup> In January 2012, Governor Martin O'Malley signed two historic Executive Orders recognizing Maryland Indian status of two groups indigenous to the State of Maryland. With the signing of the Executive Orders, Governor O'Malley officially made the Piscataway Indian Nation and the Piscataway Conoy Tribe the first state recognized tribes in Maryland history.

<sup>74</sup> Pierre Teilhard de Chardin.

## ADJOURNMENT

At 12:50 P.M. on motion of Senator Madaleno, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 2, 2012.

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**Annapolis, Maryland**  
**Thursday, February 2, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:18 A.M.

Prayer by Reverend Steven L. Johns–Boehme, First Christian Church, guest of Senator Shank.

(See Exhibit A of Appendix III)

The Journal of February 1, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Astle and Reilly be excused from today's session.

**QUORUM CALL**

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

(See Roll Call No. 105)

**PETITIONS, MEMORIALS AND OTHER PAPERS**

Pursuant to Article XI, Section 7 of the Maryland Constitution the following Baltimore City Bond Resolutions have been adopted by the Baltimore City Senators.

**BALTIMORE CITY BOND RESOLUTIONS**

(See Exhibit B of Appendix III)

Read and ordered journalized.

**INTRODUCTION OF BILLS**

**Senate Bill 425 – Harford County Senators**

AN ACT concerning

**Harford County – Tax Sales – Auctioneer Fees**

FOR the purpose of altering the auctioneer's fee in Harford County allowed as an expense relating to certain tax sales of property; and generally relating to tax sales of property in Harford County.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 14–813(e)(1)(iv)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–813(e)(2)(i) and (ix)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 426 – Senators Glassman and Robey**

AN ACT concerning

**Creation of a State Debt – Harford County – Broad Creek Memorial Scout  
Reservation**

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 Baltimore Area Council, Boy Scouts of America for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 427 – Senators Glassman, DeGrange, Dyson, Kittleman, Peters,  
Pipkin, and Stone**

AN ACT concerning

**Pregnancy Outcomes – Confidential Statistical Reporting Requirements**

FOR the purpose of requiring certain hospitals and facilities to report pregnancy terminations to the Department of Health and Mental Hygiene; requiring a certain report completed by a hospital or facility to meet certain requirements and to include certain information; requiring certain physicians to submit a certain report to the Department within a certain period of time; requiring the

Department to submit a certain annual report to the Governor and General Assembly; providing that certain reports required under this Act are not public records and are confidential; providing for certain penalties; requiring the Department to adopt certain regulations; authorizing the State Board of Physicians to provide for certain disciplinary action for a licensee who violates certain provisions of this Act; and generally relating to the reporting of pregnancy terminations.

BY adding to

Article – Health – General

Section 20–217 to be under the new part “Part V. Reporting Requirements”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–404(a)(40) and (41)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 14–404(a)(42)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 428 – Senators Glassman, Garagiola, Jennings, Klausmeier, and Middleton**

AN ACT concerning

**Commission to Study Expanding the Voluntary Agricultural Nutrient Credit Certification Program**

FOR the purpose of establishing a Commission to Study Expanding the Voluntary Agricultural Nutrient Credit Certification Program; specifying the membership, purposes, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to study and make recommendations regarding certain matters relating to TMDL (Total Maximum Daily Load) purchase agreements; requiring the Commission 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 Commission to Study Expanding the Voluntary Agricultural Nutrient Credit Certification Program.

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

**Senate Bill 429 – Senators Young, Garagiola, Rosapepe, and Shank**

AN ACT concerning

**Developmental Disabilities – Group Homes and Alternative Living Units –  
Dispersion**

FOR the purpose of stating the intent of the General Assembly with regard to the dispersion of group homes and alternative living units; requiring a group home or an alternative living unit to maintain a certain distance from certain facilities; limiting the number of group homes or alternative living units in a certain area based on population size; exempting group homes or alternative living units operational before a certain date from the requirements of this Act; and generally relating to group homes and alternative living units.

BY adding to

Article – Health – General

Section 7–603.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 430 – Senators Young and Rosapepe**

AN ACT concerning

**Business Regulation – Cemeteries – Forfeited Rights To Interment**

FOR the purpose of authorizing a certain cemetery to initiate proceedings for the forfeiture of the right to interment under certain circumstances; requiring the Office of Cemetery Oversight to review and approve all forfeiture proceedings; requiring a cemetery that initiates proceedings for the forfeiture of the right to interment to provide certain notice and to file certain information with the Office; authorizing an owner or a family member of the owner of a right to interment to suspend certain forfeiture proceedings in a certain manner; establishing that an unused right to interment is forfeited within a certain period of time under certain circumstances; granting certain remedies to the owner or an individual entitled to use an interment that has been forfeited; providing for the application of this Act; and generally relating to forfeiting rights to interment in cemeteries.

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 5–101(a), (d), (g), (l), (m), (n), and (t)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 5–503  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 431 – Senators Young and Brinkley**

AN ACT concerning

**Workers’ Compensation – Emergency Responders – Revisions**

FOR the purpose of altering the definition of “on duty” in the workers’ compensation law to include the performance of certain duties assigned to certain individuals appointed as deputy sheriffs or members of a certain fire police unit; specifying that a certain yearly stipend to help offset out-of-pocket expenses that is paid to certain emergency responders may not be used when determining the average weekly wage of the members for workers’ compensation purposes; and generally relating to workers’ compensation for emergency responders.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–234 and 9–602(g)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–602(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 432 – Senators Young, Forehand, Garagiola, Klausmeier,  
Madaleno, Montgomery, and Stone**

AN ACT concerning

**Procurement – Maryland Buy American Steel and Manufactured Goods Act**

FOR the purpose of altering the Maryland Buy American Steel Act to include American manufactured goods; requiring a public body to require that certain contractors and subcontractors use or supply only American manufactured goods under certain procurements; defining a term; providing for the application of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; and generally relating to the Maryland Buy American and Manufactured Goods Act.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–301, 17–303, 17–304, and 17–306 to be under the amended subtitle  
“Subtitle 3. Buy American Procurement for Public Works”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–302 and 17–305  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 433 – Senators Young, Kelley, King, Montgomery, and Shank**

AN ACT concerning

**Labor and Employment – User Name and Password Privacy Protection**

FOR the purpose of prohibiting an employer from requesting or requiring that an employee or applicant disclose any user name, password, or other means for accessing a personal account or service through certain electronic communications devices; prohibiting an employer from taking, or threatening to take, certain disciplinary actions for an employee’s refusal to disclose certain password and related information; prohibiting an employer from failing or refusing to hire an applicant as a result of the applicant’s refusal to disclose certain password and related information; defining certain terms; and generally relating to employment and privacy protection.

BY adding to  
Article – Labor and Employment  
Section 3–712  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 434 – Senators Young, Kelley, King, Montgomery, and Shank**

AN ACT concerning

**Institutions of Postsecondary Education – Electronic Account, Service, and Communications Device Privacy Protection**

FOR the purpose of prohibiting an institution of postsecondary education from requiring a student or an applicant for admission to provide access to a student's or applicant's personal account or service through an electronic communications device, to disclose any user name, password, or other means for accessing certain accounts or services through an electronic communications device, or to install on certain electronic communications devices software that monitors or tracks electronic content; prohibiting an institution of postsecondary education from taking, or threatening to take, certain disciplinary actions for a student's or applicant's refusal to provide certain access, disclose certain information, or install certain software; defining certain terms; and generally relating to electronic account, service, and communications devices used by applicants to and students of institutions of postsecondary education.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 10–101(a), (i), and (l)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 26–401 to be under the new subtitle “Subtitle 4. Electronic Account and Device Privacy Protection”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 435 – Senator McFadden**

AN ACT concerning

**Maryland Economic Development Corporation – Bonding Authority and Reporting Requirement**

FOR the purpose of authorizing the Maryland Economic Development Corporation to finance certain projects when bonds are payable or guaranteed by certain educational institutions if the Corporation has a certain ownership interest in the property and the property is leased to the educational institution; altering the date the Corporation is required to submit a certain report; and generally relating to the Maryland Economic Development Corporation.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–103 and 10–132  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

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

**Senate Bill 436 – Senator McFadden**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Baltimore  
City – Roberta’s House**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the requirement that the Board of Directors of Roberta’s House, Inc. provide a certain matching fund; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2008.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008, as amended by  
Chapter 372 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA01(AA) and Item ZA02(X)

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

**Senate Bill 437 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Follow-Up Criminal History  
Records Checks**

FOR the purpose of requiring the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services to provide the Board of License Commissioners of Frederick County with a revised printed criminal record statement of a license applicant or license holder if information is reported to the Central Repository after the initial criminal

history records check is completed; requiring the Central Repository to stop providing the Board with revised printed statements under certain circumstances; and generally relating to alcoholic beverages licenses in Frederick County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10–103(b)(13)(v)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

### **Senate Bill 438 – Senators Brinkley and Young**

AN ACT concerning

#### **Ethics – Former Local Government Officials and Employees**

FOR the purpose of requiring the ethics provisions enacted by a county or municipal corporation to allow a former official or former employee of the county or municipal government, after the passage of a certain time period, to engage in certain representation or assistance that relates in a certain way to the official's or employee's governmental actions; and generally relating to the ethics requirements for counties and municipal corporations.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–504(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–804  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 439 – Senators Brinkley and Young**

AN ACT concerning

#### **Frederick County – Alcoholic Beverages – Citations Issued by Inspectors**

FOR the purpose of removing Frederick County from the list of counties whose alcoholic beverages inspectors are prohibited from carrying a weapon when issuing a citation for certain violations; clarifying language; and generally relating to alcoholic beverages inspectors in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–119(b)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 440 – Senators Garagiola, Benson, Colburn, Currie, Edwards, Forehand, Glassman, King, Klausmeier, Manno, Mathias, Middleton, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Stone, and Young**

AN ACT concerning

### **Highway User Revenue Distribution**

FOR the purpose of altering certain percentages of revenues credited to the Gasoline and Motor Vehicle Revenue Account that are authorized to be used for certain purposes; altering certain percentages of revenues credited to the Account that are required to be distributed to Baltimore City, the counties, and certain municipalities; repealing certain obsolete provisions; and generally relating to the distribution of revenues credited to the Gasoline and Motor Vehicle Revenue Account.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–402 and 8–403  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 441 – Senators Garagiola, Astle, Benson, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Glassman, King, Klausmeier, Manno, Mathias, Middleton, Montgomery, Peters, Ramirez, Rosapepe, Stone, and Young**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Transportation Trust Fund – Financing – Use of Funds**

FOR the purpose of proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation except in certain circumstances; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; providing that this amendment does not prohibit the allocation or use of certain funds in the Transportation Trust Fund for counties, municipalities, and Baltimore City as authorized by law; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes if the State is invaded or a major catastrophe occurs and the Governor and the General Assembly take certain actions and provide for the repayment of the funds; submitting this amendment to the qualified voters of the State for their adoption or rejection; and generally relating to the financing and use of funds of the Transportation Trust Fund.

BY proposing an addition to the Maryland Constitution

Article III – Legislative Department

Section 53

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

**Senate Bill 442 – Senator Colburn**

AN ACT concerning

**Program Open Space – Local Projects – Funding for Development**

FOR the purpose of limiting the dispersal of certain Program Open Space funding to the costs associated with development projects and the construction of recreational facilities under certain circumstances; repealing a certain requirement that, to obtain a certain percentage of State funding, certain land acquired within a priority funding area be limited in the amount of impervious surface on the land; exempting certain indoor recreational facilities from certain funding limits; and generally relating to development of local projects under Program Open Space.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–905(c)

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 443 – Senator Colburn**

AN ACT concerning

**Natural Resources – Public Shellfish Fishery Area – Standards**

FOR the purpose of requiring the Department of Natural Resources to establish areas in the Chesapeake Bay as part of the public shellfish fishery area if the areas have a certain density of oysters; and generally relating to standards for the establishment of the public shellfish fishery area.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 4–11A–01(l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–11A–04  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 444 – Senator Colburn**

AN ACT concerning

**Optional Retirement Program – State Employees and Teachers – Participation**

FOR the purpose of authorizing certain individuals who are eligible for membership in certain State retirement or pension systems to participate in the optional retirement program; providing that certain employees are not members of State retirement or pension systems if the employees make certain elections to join the optional retirement program; requiring that the optional retirement program be offered by certain participating employers; providing that the State and certain employers are not responsible for the payment of certain benefits payable under the optional retirement program; requiring certain employers to administer certain aspects of the participation of certain employees in the optional retirement program; requiring that certain employees who elect to participate in the optional retirement program make such an election within a

certain period of time and in a certain manner; providing that an employee who participate in the optional retirement program is ineligible for membership in certain State retirement or pension systems; defining certain terms; and generally relating to participation in the State optional retirement program.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 23–201(b), 24–201, 24–203, 25–201(b), 26–201(b), 30–101, 30–201, 30–202, 30–207, 30–210, 30–301, 30–302, 30–303, 30–305, and 30–307(e)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 445 – Senators Colburn and Mathias**

AN ACT concerning

#### **Criminal Law – Animal Cruelty – Assignment and Costs of Animal**

FOR the purpose of requiring a court to order a defendant convicted of a certain charge of animal cruelty, as a condition of sentencing, to assign ownership of a certain animal to the agency or organization that confiscated the animal for disposal at the discretion of that agency or organization and to pay, in addition to any other fines and costs, all reasonable costs incurred in removing, feeding, housing, treating, or euthanizing an animal confiscated from the defendant; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 10–606, 10–607, and 10–608

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

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

### **Senate Bill 446 – Senator Colburn**

AN ACT concerning

#### **Sales and Use Tax – Sales of Dyed Diesel Fuel**

FOR the purpose of providing that for the sale of certain diesel fuel the sales and use tax is to be applied to a certain percentage of the gross receipts; defining certain terms; creating a collection exception for certain diesel fuel sales by certain marinas; requiring certain marinas to assume or absorb the sales and use tax imposed on a retail sale or use and to pay the sales and use tax on behalf of the

buyer; and generally relating to the sales and use tax on certain sales of certain diesel fuel by certain marinas.

BY adding to

Article – Tax – General  
Section 11–104(h) and 11–410  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 11–302  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 447 – Senator Colburn**

AN ACT concerning

#### **Dorchester County – Restriction on Sunday Gaming – Repeal**

FOR the purpose of repealing a restriction that limits a certain gaming licensee in Dorchester County from holding a gaming event or carnival on a Sunday; and generally relating to Sunday charitable gaming in Dorchester County.

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 13–1202 and 13–1203(a)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 13–1204  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

### **Senate Bill 448 – Senator Colburn**

AN ACT concerning

#### **Talbot County – Alcoholic Beverages – Wineries**

FOR the purpose of repealing certain provisions of law that limit the wine sampling privileges of licensed wineries in Talbot County; clarifying that the statewide wine sampling privileges of licensed wineries apply in Talbot County; and generally relating to alcoholic beverages in Talbot County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 2–204(1) and (2)(v) and 2–205(b)(1), (5)(ii), and (7)(i)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing  
Article 2B – Alcoholic Beverages  
Section 8–410  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 449 – Senator Middleton**

AN ACT concerning

**Electric Service Quality and Reliability Standards – Deadlines**

FOR the purpose of altering the dates by which the Public Service Commission is required to determine whether certain electric companies have met certain service quality and reliability standards under certain circumstances; altering the date by which certain electric companies are required to submit to the Commission a certain annual performance report; and generally relating to electric service quality and reliability standards.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–213(f)(1) and (g)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 450 – Chair, Education, Health, and Environmental Affairs  
Committee**

AN ACT concerning

**State Board of Environmental Health Specialists – Transfer of  
Responsibilities**

FOR the purpose of renaming the State Board of Environmental Sanitarians to be the State Board of Environmental Health Specialists; transferring the Board and certain functions, powers, duties, assets, liabilities, and records from the Department of the Environment to the Department of Health and Mental Hygiene; renaming environmental sanitarians to be environmental health specialists; altering the length of terms for certain Board members; altering a certain date relating to the staggering of the terms of Board members; altering the number of terms certain Board members may serve; requiring the Board to notify certain environmental health specialists of certain vacancies on the Board and provide the Secretary of Health and Mental Hygiene with a list of a certain number of candidates for each vacancy; requiring the Board to determine the duties of certain officers; clarifying certain quorum requirements; authorizing the Board to employ certain staff in accordance with the budget of the Board; authorizing the Board to sue to enforce certain provisions by injunction and issue certain subpoenas, summon certain witnesses, administer certain oaths, take certain affidavits, and take certain testimony; requiring that certain applicants be of good moral character and at least a certain age; authorizing the Board to waive certain education and training requirements for an applicant to qualify to take the licensing examination under certain conditions; authorizing the Board to send certain notices by electronic means; requiring the Board to maintain certain records and a certain database regarding disciplinary matters; establishing a certain violation for failing to cooperate with certain investigations; prohibiting certain persons from using certain titles and initials; altering certain penalties; extending the termination date of the Board; requiring that the Department of Legislative Services evaluate the Board by a certain date; providing that certain Board members may continue to serve for a certain term and that certain provisions will apply to certain vacancies on the Board; providing measures for continuity for certain license and certificate holders during a certain transition period; expressing the intent of the General Assembly that the Department of the Environment and the Department of Health and Mental Hygiene cooperate to ensure adequate funding is available to support the Board during a certain fiscal year; expressing the intent of the General Assembly that the Board implement certain measures; requiring the Board to adopt certain regulations; repealing laws inconsistent with this Act; requiring the Board to repeal certain regulations; requiring the publishers of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to automatically make certain corrections in a certain manner; repealing certain obsolete provisions; making certain technical, conforming, and stylistic changes; defining certain terms; and generally relating to the State Board of Environmental Health Specialists.

BY transferring  
Article – Environment

Section 11–101 through 11–502, respectively, and the title “Title 11. Environmental Sanitarians”

Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

to be

Article – Health Occupations

Section 21–101 through 21–502, respectively, and the title “Title 21. Environmental Sanitarians”

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 21–101; 21–201 through 21–205 to be under the amended subtitle “Subtitle 2. State Board of Environmental Health Specialists”; 21–301 through 21–310, 21–312 through 21–315, 21–401, 21–402, 21–501, and 21–502 to be under the amended title “Title 21. Environmental Health Specialists”

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 21–102, 21–206, 21–207, and 21–311

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Section 1 of this Act)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(22)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 451 – Senators Middleton, Astle, Glassman, Kelley, Kittleman, Klausmeier, and Pipkin**

AN ACT concerning

**Credit Regulation – Finder’s Fees – Table–Funded Loans**

FOR the purpose of altering the definitions of “finder’s fee”, “lender”, and “mortgage broker” for purposes of certain provisions of law governing finder’s fees charged

by mortgage brokers to clarify that, in a table-funded mortgage loan transaction, fees charged by the person named as the lender in certain documents evidencing the loan indebtedness are not considered finder's fees; establishing a certain statute of limitations; defining a certain term; providing for the application of this Act; and generally relating to finder's fees.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–801  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 12–804(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Commercial Law  
Section 12–810  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 452 – Senators Middleton, Astle, Glassman, Klausmeier, and Pipkin**

AN ACT concerning

**Other Tobacco Products Licenses – Repeal**

FOR the purpose of repealing provisions of law related to the requirement that a person have a license whenever the person acts in the State as an other tobacco products manufacturer, retailer, storage warehouse, or wholesaler or tobacconist; repealing certain record-keeping and reporting requirements for an other tobacco products wholesaler; repealing the authority for the Comptroller to adopt regulations to require a common carrier that brings other tobacco products into the State to submit certain information to the Comptroller; repealing certain requirements for a person who ships, imports, or sells other tobacco products into or within the State; repealing certain prohibitions on selling or shipping other tobacco products that are ordered or purchased by mail or through a computer network, telephonic network, or other electronic network; repealing certain prohibitions on delivery of other tobacco products directly to a consumer; requiring a person who transports other tobacco products by vehicle on a public road to have certain information in the vehicle;

repealing references to provisions repealed under this Act; repealing the prohibition on a county, municipal corporation, special taxing district, or other political subdivision from imposing a tax on other tobacco products; repealing the requirement that a wholesaler shall complete and file with the Comptroller a tobacco tax return for other tobacco products on or before a certain day; requiring a wholesaler to complete and file with the Comptroller a tobacco tax return for other tobacco products on a date specified by the Comptroller in regulation; requiring the tobacco tax to be paid by the wholesaler who sells the other tobacco products to a consumer; requiring a retailer or consumer to pay the tobacco tax on other tobacco products on which the tobacco tax has not been paid; requiring the Comptroller to adopt regulations establishing a system of administering, collecting, and enforcing the tobacco tax on other tobacco products; providing for specific regulations which the Comptroller may adopt to establish a system of administering, collecting, and enforcing the tobacco tax on other tobacco products; repealing a requirement that a person subject to the tobacco tax post security as an other tobacco products wholesaler; altering a certain penalty for a person who willfully ships, imports, sells into or within, or transports within the State other tobacco products on which the tobacco tax has not been paid; altering the definition of certain terms; defining certain terms; and generally relating to the regulation of other tobacco products in the State.

BY repealing

Article – Business Regulation

Section 16.5–101 through 16.5–218 and the title “Title 16.5. Other Tobacco Products Licenses”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Regulation

Section 16–217

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 16–219

Annotated Code of Maryland

(2010 Replacement Volume and 2011 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, 13–825(h), and 13–1015

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General  
Section 12–306  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 453 – Senator Stone**

AN ACT concerning

**Wrongful Death and Survival Causes of Action – Criminal Homicide – Time Limits for Bringing Civil Action**

FOR the purpose of providing that a wrongful death cause of action or survival cause of action arising from conduct that constitutes a criminal homicide under State or federal law accrues at a certain time under certain circumstances; establishing a presumption that a party should have discovered the identity of a person who contributed to a criminal homicide under certain circumstances; providing for the application of this Act; and generally relating to certain time limits for bringing certain civil actions concerning a criminal homicide.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 3–904(g)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to

Article – Courts and Judicial Proceedings  
Section 3–904(g)(3) and 5–203.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 454 – Senator Stone**

AN ACT concerning

**Courts – Violation of Probation – Appeal on the Record**

FOR the purpose of providing that an appeal shall be heard on the record made in the District Court in a case in which the District Court determines that a criminal defendant violated probation; and generally relating to an appeal of a

determination by the District Court of a violation of probation by a criminal defendant.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 12–401(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 455 – Senators Middleton, Frosh, Garagiola, Jones–Rodwell,  
Klausmeier, and Pugh**

AN ACT concerning

**State Personnel – Special Appointments – Status**

FOR the purpose of repealing certain provisions of law that designate certain positions and employees as special appointments in the State Personnel Management System; repealing a provision of law that certain employees in the Maryland Correctional Enterprises may be in the skilled service category of the State Personnel Management System; providing that assistant attorneys general are special appointments in the State Personnel Management System; providing that certain at–will positions that are encumbered on a certain date shall remain at–will positions until the positions are vacant; and generally relating to State personnel and special appointments.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–506  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 6–105(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 456 – Senator Middleton**

AN ACT concerning

**Health Insurance – Health Benefit Plan Premium Rate Review**

FOR the purpose of prohibiting a carrier that issues or delivers a health benefit plan in the State from charging a premium to certain persons or changing a premium before the applicable premium rate or premium rate change is filed with and approved by the Maryland Insurance Commissioner; requiring any applicable premium rate or premium rate change to be filed with the Commissioner at least a certain period of time before its proposed effective date; requiring the Commissioner to require a carrier to provide certain information under certain circumstances; extending the period of time before the proposed effective date of a premium rate filing under certain circumstances; authorizing the Commissioner to authorize an earlier or later effective date of a premium rate filing; providing that a premium rate filing is deemed approved unless disapproved by the Commissioner within a certain period of time; requiring the Commissioner to disapprove or modify a proposed premium rate filing under certain circumstances; requiring the Commissioner to consider certain factors in determining whether to disapprove or modify a premium rate filing; requiring each premium rate filing and any supporting information filed to be open to public inspection; authorizing a person to obtain copies of a premium rate filing and any supporting information; authorizing the Commissioner to require a carrier to demonstrate that its premium rates and method for setting premium rates for a health benefit plan are not excessive in relation to benefits, notwithstanding the Commissioner's previous approval; requiring the Commissioner to issue a certain order to a carrier under certain circumstances; requiring the Commissioner to hold a hearing before issuing a certain order and to provide written notice of the hearing; providing that an order does not affect a certain health benefit plan; providing that each decision or finding of the Commissioner about premium rates is subject to judicial review; providing that a nonprofit health service plan and a health maintenance organization that offer a certain health benefit plan are subject to certain provisions of law; establishing the provisions of law that prevail if there is a conflict between certain provisions of law; providing for the application of this Act; defining certain terms; and generally relating to health benefit plan premium rate review under health insurance.

BY adding to

Article – Insurance

Section 11–601 through 11–603 to be under the new subtitle “Subtitle 6. Health Benefit Plan Premium Rate Review”

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 14–126(a)

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–713(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 457 – Senator Kelley**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Children’s Home Therapeutic  
Group Home 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 Children’s Home, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 458 – Senator Kelley**

AN ACT concerning

**Senior Call–Check Service Program – Establishment**

FOR the purpose of establishing the Senior Call–Check Service Program; specifying that a subscriber who meets certain requirements is eligible for the Program; requiring the Public Service Commission to establish and maintain the Program; limiting the Program to certain telephone companies; specifying a sequence of telephone calls necessary to satisfy Program requirements; authorizing local law enforcement to perform certain acts in connection with the Program; requiring certain telephone companies to provide a certain service to certain subscribers free of charge; authorizing certain telephone companies to coordinate with certain entities that provide a certain service; authorizing the Commission to adjust a certain rate; immunizing certain Program participants from certain liability; requiring the Commission to consult with certain departments in adopting regulations to implement the Program; authorizing the Commission to limit subscriber eligibility based on income; defining certain terms; and generally relating to telephone service and the Senior Call–Check Service Program.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 8–201(a)(1) and (2)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities  
Section 8–207  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 459 – Senators King, Forehand, Garagiola, Madaleno, Manno, McFadden, and Montgomery**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Montgomery Village South Valley Park**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$125,000, the proceeds to be used as a grant to the Board of Directors of the Montgomery Village Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 460 – Senators King, Forehand, Garagiola, Manno, McFadden, Montgomery, Peters, Pugh, Ramirez, Raskin, Robey, and Rosapepe**

AN ACT concerning

**Vehicle Laws – Child Safety Seats and Seat Belts – Penalty**

FOR the purpose of increasing the fine for failing to secure a child under a certain age in a child safety seat or seat belt while transporting the child in a motor vehicle or operating a motor vehicle; repealing a requirement that court costs are included in a certain fine; making stylistic changes; and generally relating to child safety seats and seat belts.

BY repealing and reenacting, with amendments,  
Article – Transportation

Section 22–412.2, 22–412.3, and 27–106(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 461 – Senator Jacobs**

AN ACT concerning

**Emergency Medical Services – Automated External Defibrillators – Immunity  
from Liability and Facility Registration Requirement**

FOR the purpose of providing immunity from civil liability to a certain individual who uses an automated external defibrillator (AED) to provide certain assistance or medical aid to a victim at the scene of an emergency under certain circumstances; altering a certain education requirement for a facility that desires to make an AED available to qualify for a valid certificate from the State Emergency Medical Services Board; and generally relating to immunity from liability for use of an AED and to the Public Access Automated External Defibrillator Program.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–603  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 13–517  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 462 – Chair, Anne Arundel County Senators**

AN ACT concerning

**Peace Order or Protective Order Petition – Respondent’s Address**

FOR the purpose of altering the information required of a person filing a petition for a peace order or a protective order to include, if known, the home or business address of the respondent; and generally relating to peace orders or protective orders.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1503(b)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–504(b)(1)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 463 – Chair, Anne Arundel County Senators**

AN ACT concerning

**Local Government Self-Insurance Funds – Exclusion from Investment Guidelines**

FOR the purpose of altering the definition of “public funds”, as it relates to certain local government investment guidelines, to exclude certain funds held by certain local governments for self-insurance purposes; and generally relating to public funds subject to local government investment guidelines.

BY repealing and reenacting, without amendments,  
Article 95 – Treasurer  
Section 22F(a)(1) and (6)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article 95 – Treasurer  
Section 22F(a)(7)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 464 – Chair, Anne Arundel County Senators**

AN ACT concerning

**County Transfer Tax – Collection**

FOR the purpose of authorizing the governing body of a county to provide, by law, for the direct collection of the county transfer tax imposed on certain articles or documents filed with the Department of Assessments and Taxation or the clerk of the circuit court of a county; and generally relating to the collection and distribution of the county transfer tax.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 13–404(a) and (d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 465 – Senators Frosh, Benson, Conway, Forehand, King, Madaleno, Manno, Montgomery, Pinsky, Raskin, Rosapepe, Stone, and Young**

AN ACT concerning

**Natural Resources – Shark or Elasmobranch Fins – Prohibition on Possession or Distribution**

FOR the purpose of prohibiting a person from possessing, selling, offering for sale, trading, or distributing a shark or other elasmobranch fin; establishing certain civil penalties for violations of this Act; requiring the Department of Natural Resources to adopt regulations to implement this Act; defining a certain term; and generally relating to a prohibition against the possession or distribution of a shark or other elasmobranch fin.

BY adding to  
Article – Natural Resources  
Section 4–747  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 466 – Senator Edwards**

AN ACT concerning

**Allegany and Garrett Counties – Slot Machines for Nonprofit Organizations**

FOR the purpose of adding Allegany County and Garrett 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 Allegany County and Garrett County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 467 – Senator Edwards**

AN ACT concerning

**Income Tax Credit – Teachers at the Maryland School for the Blind and the  
Maryland School for the Deaf**

FOR the purpose of altering a credit against the State income tax for certain tuition costs of certain teachers to include teachers at the Maryland School for the Blind and the Maryland School for the Deaf; providing that a certain teacher who is reimbursed for the tuition may not claim the credit for the amount of tuition that is reimbursed; providing for the application of this Act; and generally relating to a State income tax credit for certain tuition paid by a teacher at the Maryland School for the Blind and the Maryland School for the Deaf.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–717  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 468 – Senator Edwards**

AN ACT concerning

**Real Property – Acquisition by State Highway Administration – Unpaid  
Assessments**

FOR the purpose of expanding to additional types of assessments the application of certain provisions of law relating to the acquisition by the State Highway Administration of real property that is subject to an unpaid assessment; providing that the amount of any assessment imposed by the State, a county, a

municipality, or other political subdivision that is unpaid at the time real property is acquired by the Administration becomes due and constitutes a lien on the property; providing that the amount of an assessment that becomes due is limited to the amount attributable to that part of the property that is acquired by the Administration; requiring the Administration to provide for payment of an unpaid assessment on real property acquired other than through condemnation in a certain manner; requiring the amount of an unpaid assessment on real property acquired by condemnation to be paid in a certain manner; defining certain terms; making conforming changes; and generally relating to the payment of unpaid assessments on real property acquired by the State Highway Administration.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 3–104(b)(1)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property

Section 3–104(b)(2)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 8–307

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 469 – Senator Edwards**

AN ACT concerning

#### **Family Security Trust Fund – Interest Earnings**

FOR the purpose of prohibiting the transfer of certain interest from the Family Security Trust Fund to the General Fund of the State; requiring the Comptroller to account for certain interest earnings transferred to the General Fund of the State from the Family Security Trust Fund during certain fiscal years and requiring the Comptroller to provide notice of the accounting; requiring the Governor to include a certain appropriation in the State budget for a certain fiscal year to repay interest earnings transferred from the Family Security Trust Fund during certain fiscal years; and generally relating to interest earnings of the Family Security Trust Fund.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(1) and (2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 470 – Senator Edwards**

AN ACT concerning

#### **Allegany County – Orphans’ Court Judges – Pension**

FOR the purpose of altering the pension of a judge of the Orphans’ Court for Allegany County under certain circumstances; making a technical change; and generally relating to the pension of a judge of the Orphans’ Court for Allegany County under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Estates and Trusts  
Section 2–108(b) and (y)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 2–108(y)(2), (6), and (7)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Estates and Trusts  
Section 2–108(y)(6)

Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

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

**Senate Bill 471 – Senator Edwards**

AN ACT concerning

**Real Property – Natural Gas and Oil Leases – Recordation Requirement –  
Intake Sheet**

FOR the purpose of prohibiting a clerk of court from recording an instrument that effects a certain real property lease dealing in natural gas and oil unless the instrument is accompanied by a complete intake sheet; and generally relating to the recordation of real property leases dealing in natural gas and oil.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 3–104(g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 472 – Senator Edwards**

AN ACT concerning

**Environment – Dormant Mineral Interests – Termination by Court Order  
Requirements**

FOR the purpose of requiring a court order that terminates a certain dormant mineral interest to identify certain information; requiring a clerk of the court that issued a certain order to record the order in the land records; and generally relating to the termination of dormant mineral interests.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 15–1201  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 15–1203(d)  
Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 473 – Senator Pinsky**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Prince George’s County  
– New Carrollton Recreation Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the purpose of a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2008.

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

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

**Senate Bill 474 – Senator Pinsky**

AN ACT concerning

**State Board of Professional Counselors and Therapists – Certified  
Professional Counselor–Alcohol and Drug – Repeal**

FOR the purpose of repealing certain provisions of law relating to the requirements that must be met to qualify as a certified professional counselor–alcohol and drug; repealing a certain requirement that the State Board of Professional Counselors and Therapists grant a certain waiver to certain applicants; prohibiting the Board from placing a certified professional counselor–alcohol and drug on inactive status; prohibiting the Board from reinstating the certificate of a certified professional counselor–alcohol and drug under certain circumstances; providing that this Act may not be construed to invalidate certain certificates or to prohibit certain renewals; and generally relating to the repeal of the certified professional counselor–alcohol and drug certificate.

BY repealing  
Article – Health Occupations  
Section 17–402  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 17–405 and 17–505  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 475 – Senators King, Garagiola, Manno, McFadden, Montgomery, Pugh, Raskin, and Rosapepe**

AN ACT concerning

**Stormwater Management – Dredging – Testing for Toxic Substances**

FOR the purpose of requiring the Department of the Environment to adopt regulations and a model ordinance to require that sediment dredged from stormwater retention structures be tested for toxic substances and to prohibit dredged sediment from being used in a certain manner; and generally relating to stormwater management and toxic substances.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–203  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 476 – Senators Klausmeier, Colburn, Forehand, Madaleno, Montgomery, Raskin, Rosapepe, Stone, and Young**

AN ACT concerning

**State Government – Financial Education and Capability Commission**

FOR the purpose of establishing the Financial Education and Capability Commission; providing for the composition, co–chairs, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to meet at least a certain number of times each year; requiring the Commission to monitor the implementation of public and private initiatives to improve the financial education and capability of residents of the State and to make recommendations regarding certain matters; requiring the Commission to make certain reports to the Governor and the General Assembly on or before a certain date each year; defining a certain term; specifying the terms of the

initial appointed members of the Commission; and generally relating to the Financial Education and Capability Commission.

BY adding to

Article – State Government

Section 9–801 through 9–804 to be under the new subtitle “Subtitle 8. Financial Education and Capability Commission”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 477 – Senators Klausmeier, Kittleman, Astle, Colburn, DeGrange, Forehand, Kasemeyer, Middleton, Robey, Rosapepe, and Stone**

AN ACT concerning

**Job Creation Tax Credit – Amount of Credit and Termination Provisions**

FOR the purpose of altering the determination of the amount of a certain job creation tax credit earned by a qualified business entity under certain circumstances; altering the termination provisions for the tax credit; providing for the application of this Act; and generally relating to the job creation tax credit program.

BY repealing and reenacting, without amendments,

Article – Economic Development

Section 6–301(e)

Annotated Code of Maryland

(2008 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 6–304(b) and 6–309

Annotated Code of Maryland

(2008 Volume and 2011 Supplement)

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

**Senate Bill 478 – Senator Ferguson**

AN ACT concerning

**Education – School Buses – Fire Safety Standards for Engine Components**

FOR the purpose of requiring a school bus engine compartment to be constructed with certain materials that enable it to meet certain flammability criteria; requiring a school bus engine compartment to achieve a certain classification under a certain safety standard relating to flammability; and generally relating to fire safety standards for engine components in school buses.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–808  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11–153 and 11–154  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

#### **Senate Bill 479 – Senator Ferguson**

AN ACT concerning

#### **Health Occupations – Physician Assistants – Patient’s Access to Supervising Physician**

FOR the purpose of requiring certain patients to have access to certain physicians who supervise certain physician assistants under certain circumstances; and generally relating to a patient’s access to a physician assistant’s supervising physician.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 15–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

#### **Senate Bill 480 – Senator Zirkin**

AN ACT concerning

#### **Creation of a State Debt – Baltimore County – Acorn Hill Natural Play Area**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$215,000, the proceeds to be used as a grant to the County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 481 – Senator Zirkin**

AN ACT concerning

**Family Law – Child Custody – Interim Custody or Visitation Order**

FOR the purpose of authorizing a party to file with the court a motion for an interim custody or visitation order under certain circumstances; requiring a party who files a motion for an interim custody or visitation order to file with the motion a certain certificate; specifying the contents of the certificate; requiring the court to hold a hearing on the motion within a certain period of time under certain circumstances; requiring the court to determine interim custody or visitation in accordance with the best interest of the child under certain circumstances; establishing that an interim custody or visitation order remains in effect until it is superseded by a certain order; and generally relating to an interim custody or visitation order.

BY adding to

Article – Family Law

Section 9–109

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 482 – Senator Zirkin**

AN ACT concerning

**Residential Real Estate – Transfer of Mortgage Servicing – Disclosure of Additional Information**

FOR the purpose of requiring a mortgage servicer to include in a certain written notice information on the interest rate and term of the mortgage loan, and additional information if the mortgage is an adjustable interest rate mortgage, when a mortgagor's mortgage loan is transferred for servicing to the mortgage servicer; and generally relating to mortgage servicers.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 13–316  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 483 – Senators Benson, Miller, Frosh, Montgomery, and Pinsky**

AN ACT concerning

**Chesapeake and Atlantic Coastal Bays Critical Area – Prohibition – Junk and Scrap Metal Facilities**

FOR the purpose of requiring certain local critical area programs to, with a certain exception, prohibit the location of junkyards, scrap storage yards, and other scrap metal facilities in the Chesapeake and Atlantic Coastal Bays Critical Area; providing for the application of this Act; prohibiting a certain application of this Act; and generally relating to a prohibition on the location of junkyards, scrap storage yards, and other scrap metal facilities in the Chesapeake and Atlantic Coastal Bays Critical Area.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–1808(c)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 484 – Senators Kelley, Klausmeier, Mathias, Middleton, Muse, and Pugh**

AN ACT concerning

**Managed Care Organizations – Medical Loss Ratio Information – Publication**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to publish in a certain manner certain medical loss ratio information provided by certain managed care organizations and certain financial information on the Web site of the Department of Health and Mental Hygiene; and generally relating to managed care organizations and the publication of medical loss ratio information.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–605(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 485 – Senators Kelley, Astle, Forehand, Garagiola, Glassman, Kittleman, Klausmeier, Mathias, Middleton, Muse, Pipkin, Pugh, Stone, and Young**

AN ACT concerning

**Continuing Care Retirement Communities – Regulation**

FOR the purpose of requiring certain providers to set aside operating reserves that, before a certain date, equal a certain percentage of certain expenses of a facility; requiring certain providers to set aside operating reserves that, on or after a certain date, equal a certain percentage of certain expenses of a facility; beginning on a certain date, providing for the manner in which certain requirements under this Act relating to assets held by providers as operating reserves shall be met; beginning on a certain date, providing that certain assets held by providers may be encumbered under certain circumstances; requiring providers of certain facilities, for purposes of a certain operating reserve requirement, to make a certain calculation based on certain operating expenses; adding to the information to be included in a disclosure statement; requiring certain providers to make certain information related to meetings of a governing body available to subscribers within a certain time period; requiring providers to make a certain response to a grievance in writing; requiring providers to make available a copy of a certain budget; requiring certain marketing materials to include a certain disclaimer; providing that certain providers may not sell or make certain transfers of ownership of a facility unless the Department of Aging approves the sale or transfer; providing for the application of certain provisions of this Act; adding to the information to be included in a continuing care agreement; authorizing the Department of Aging to consider whether a continuing care agreement complies with certain laws; providing for the circumstances under which a provider is not required to submit certain agreements to the Department of Aging for approval; requiring a provider to make certain statements in its continuing care agreement under certain circumstances; authorizing a provider to include certain provisions in its continuing care agreement; requiring the Secretary of Aging and the Insurance Commissioner to conduct certain studies and make certain reports on or before certain dates; making the provisions of this Act severable; making certain stylistic and conforming changes; and generally relating to the regulation of continuing care retirement communities.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 10–420(b), 10–423(a), 10–425(a), 10–427, 10–428, 10–429, 10–432,  
10–444(a) and (b), and 10–445

Annotated Code of Maryland

(2007 Volume and 2011 Supplement)

BY adding to

Article – Human Services

Section 10–430 and 10–443

Annotated Code of Maryland

(2007 Volume and 2011 Supplement)

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

**Senate Bill 486 – Senators Raskin, Forehand, and Rosapepe**

AN ACT concerning

**Vehicle Laws – Speed Monitoring Systems – Enforcement**

FOR the purpose of authorizing certain persons to sign a statement that alleges, based on inspection of recorded images from a speed monitoring system, that a motor vehicle was being operated in violation of highway speed laws; authorizing certain persons to swear to and affirm for evidentiary purposes, based on inspection of recorded images from a speed monitoring system, that a motor vehicle was being operated in violation of highway speed laws; and generally relating to the enforcement of highway speed laws using speed monitoring systems.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–809(a)(1) and (2) and (b)(1)(i) and 21–810(b)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–809(d)(1) and (e)(1) and 21–810(d)(1) and (e)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 487 – Senators Raskin and Reilly**

AN ACT concerning

**Vehicle Laws – Salvage – Defective, Lost, or Destroyed Certificates of Title**

FOR the purpose of authorizing an application for a salvage certificate submitted by an insurance company to be accompanied by a certain affidavit of ownership and certain evidence of final payment instead of a certificate of title if the certificate of title is defective, lost, or destroyed; and generally relating to required documentation in an application for a salvage certificate.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–506(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 488 – Senator Astle**

AN ACT concerning

**Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders –  
Exception**

FOR the purpose of providing that a certain prohibition against operating or riding on a motorcycle without certain protective headgear does not apply to an individual at least a certain age who carries at least a certain amount of health insurance coverage for certain injuries; and generally relating to the requirement that protective headgear be worn by operators or riders of motorcycles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 489 – Senator Astle**

AN ACT concerning

**Bail Bondsmen – Qualifications for Licensure – Acceptance of Installment  
Contracts**

FOR the purpose of establishing certain qualifications for licensure as a bail bondsman; authorizing certain bail bondsmen to arrange to accept payment for

the premium charged for a bail bond in installments; providing that, if a bail bondsman arranges to accept payment of a bail bond premium in installments, the installment agreement shall include certain information; requiring a bail bondsman to secure a certain affidavit of surety containing certain information under certain circumstances; requiring a bail bondsman, if arranging to accept payment of a bail bond premium in installments, to take certain actions and keep certain records; requiring a bail bondsman to keep certain records in a certain location and to make certain records available to the Maryland Insurance Commissioner for inspection; requiring bail bondsmen to certify to the Commissioner at a certain time the accuracy and truth of certain records; providing certain penalties for certain violations of this Act; providing for the application of this Act; and generally relating to the regulation of surety bondsmen.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 5–203  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 10–302 and 10–305  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Insurance  
Section 10–309  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

### **Senate Bill 490 – Senator Pinsky**

AN ACT concerning

#### **Creation of a State Debt – Prince George’s County – Hamilton Street Parking Garage**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$950,000, 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 Budget and Taxation.

**Senate Bill 491 – Senators Gladden, Conway, Montgomery, and Stone**

AN ACT concerning

**Civil Rights – Discrimination by a Place of Public Accommodation –  
Enforcement and Remedies**

FOR the purpose of authorizing certain persons or the Commission on Civil Rights to elect to have the claims asserted in a certain complaint alleging discrimination by a place of public accommodation determined in a civil action brought by the Commission under certain circumstances; requiring a civil action brought by the Commission to be filed within a certain time period after an election; requiring the remedy for discrimination by a place of public accommodation to include the greater of certain damages; authorizing the remedy for discrimination by a place of public accommodation to include certain remedies; clarifying the remedies available for an unlawful employment practice; repealing a prohibition against issuing certain orders affecting the cost, level, or type of transportation services; repealing a prohibition against issuing an order in certain cases that would require costs, level, or type of transportation services different from or exceeding those required by certain federal regulations; authorizing a complainant alleging discrimination by a place of public accommodation to bring a civil action under certain circumstances; providing for the venue of and remedies in a certain civil action; defining a certain term; making certain conforming changes; and generally relating to enforcement and remedies for certain discriminatory acts.

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–1001, 20–1006(b), 20–1007(a) and (b), 20–1009, 20–1012(a) and (b),  
and 20–1013

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 492 – Senator Gladden**

AN ACT concerning

**Inmates – Life Imprisonment – Parole Approval – Felony Murder Accomplice**

FOR the purpose of providing that, if eligible for parole under certain provisions of law, a certain eligible person or inmate who is serving a sentence of life imprisonment based on a conviction under a certain provision of law involving circumstances in which the eligible person or inmate was not a principal in the first degree to the crime may be paroled without the approval of the Governor; providing that the Board of Review for the Patuxent Institution or the Maryland Parole Commission shall make a certain determination by a preponderance of the evidence; 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 2011 Supplement)

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

### **Senate Bill 493 – Senator Gladden**

AN ACT concerning

#### **Transportation – Baltimore Corridor Red Line Transit Study – Study Period**

FOR the purpose of updating the fiscal years included in the Maryland Consolidated Transportation Program referencing the transit project known as the “Baltimore Corridor Transit Study – Red Line” for purposes of continuing to apply certain provisions of law that specify certain factors that the Maryland Transportation Administration, in conducting the transit project, must consider and that prohibit the Administration from acquiring certain real property under certain circumstances; and generally relating to the Baltimore Corridor Transit Study.

BY repealing and reenacting, with amendments,  
Chapter 2 of the Acts of the General Assembly of the 2006 Special Session, as amended by Chapter 570 of the Acts of the General Assembly of 2009  
Section 1

BY repealing and reenacting, with amendments,  
Chapter 3 of the Acts of the General Assembly of the 2006 Special Session, as amended by Chapter 570 of the Acts of the General Assembly of 2009  
Section 1

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

**Senate Bill 494 – Senators Gladden, Ferguson, Getty, Jones–Rodwell, McFadden, and Raskin**

AN ACT concerning

**Criminal Procedure – Retention of Right to Expungement**

FOR the purpose of establishing that whether a person is entitled to expungement of one charge or conviction arising from an incident, transaction, or set of facts does not affect the person's right to expungement of another charge or conviction arising from the same incident, transaction, or set of facts; making certain conforming changes; and generally relating to the expungement of criminal charges.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 10–107  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 495 – Senator Gladden**

AN ACT concerning

**Criminal Law – First Degree Murder – Limitation**

FOR the purpose of establishing that a murder is not in the first degree if it is committed without prior knowledge of the intent to murder, committed under duress, or committed by a person who was not a principal in the crime; and generally relating to murder in the first degree.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 2–201  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 2–204  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 496 – Senator Gladden**

AN ACT concerning

**Criminal Procedure – Unexecuted Warrant, Summons, or Other Criminal Process – Invalidation and Destruction**

FOR the purpose of authorizing a law enforcement agency to make a certain request to a certain State's Attorney to have a certain unexecuted warrant, summons, or other criminal process invalidated and destroyed under certain circumstances; requiring the State's Attorney to petition a certain administrative judge for the invalidation and destruction of a certain unexecuted warrant, summons, or other criminal process; authorizing the State's Attorney to argue against the invalidation and destruction of a certain unexecuted warrant, summons, or other criminal process under certain circumstances; providing for the manner in which a court may order the invalidation and destruction of a certain unexecuted warrant, summons, or other criminal process; prohibiting an arrest from being made under the authority of a certain warrant or other criminal process; authorizing the State's Attorney to enter a nolle prosequi or place a certain case on the stet docket at a certain time; providing for the application of this Act; and generally relating to the invalidation and destruction of unexecuted warrants, summons, or other criminal processes.

BY adding to

Article – Criminal Procedure

Section 4–109

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 497 – Senators Jones–Rodwell, Currie, DeGrange, Madaleno, McFadden, and Robey**

AN ACT concerning

**Employees' Retirement and Pension Systems – Reemployment of Retirees – Parole and Probation Employees**

FOR the purpose of exempting certain individuals who are retirees of the Employees' Retirement System or the Employees' Pension System from certain earnings offsets under certain circumstances if the individuals are reemployed as parole and probation employees; and generally relating to reemployment of certain retirees of the Employees' Retirement System or Employees' Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 22–406(c)(4)(viii) and (ix) and 23–407(c)(4)(vi) and (vii)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions  
Section 22–406(c)(4)(x) and 23–407(c)(4)(viii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 498 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Contribution Rates and Reinvestment of Savings – Technical Clarifications**

FOR the purpose of clarifying how certain contribution rates for the employees' and teachers' retirement and pension systems are calculated to reflect legislative changes that result in a change to normal cost or accrued liabilities; repealing a certain requirement that the Board of Trustees for the State Retirement and Pension System certify a calculation of the difference between certain contributions, resulting from certain legislative changes; altering the method for determining a certain amount of reinvested savings required to be included in the annual budget bill; altering certain definitions; defining certain terms; and generally relating to technical clarifications in connection with the determination of certain pension contribution rates and certain requirements to reinvest savings into the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 21–304(a), (e), and (f) and 21–308(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 499 – Senator Forehand**

AN ACT concerning

**Creation of a State Debt – Montgomery County – TLC's Katherine Thomas School**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Trustees of TLC – The Treatment and Learning Centers, Inc. for certain development or improvement

purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 500 – Senator Pugh**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Coppin Heights Urban Revitalization Project – Phase I**

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 Coppin Heights Community Development Corp. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 501 – Senator Pugh**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Mt. Lebanon Community Development Corporation Community Center and Gymnasium**

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 Mt. Lebanon Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 502 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Healthy Start Client Service Center**

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

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

**Senate Bill 503 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Institutes for Behavior Resources**

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 Institutes for Behavior Resources, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 504 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Baltimore Design School**

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 Fashion, Architecture and Basic Design School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**LETTERS OF REASSIGNMENT  
ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 406 – Senator Zirkin**

AN ACT concerning

**Maryland Automobile Insurance Fund – Notice of Claim for Damages –  
Time for Filing**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

**THE COMMITTEE ON FINANCE REPORT #1**

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

**Senate Bill 23 – Senator Reilly**

AN ACT concerning

**Public Safety – Elevator Safety Review Board – Membership**

**SB0023/407176/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 23

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “and” in line 4 down through “contractor” in line 5.

AMENDMENT NO. 2

On page 1, in line 16, strike “ELEVEN” and substitute “TEN”; and in lines 18 and 20, in each instance, strike “TEN” and substitute “NINE”.

On page 2, in line 10, after “INDUSTRY;” insert “AND”; strike line 11 in its entirety; and in line 12, strike “(IX)” and substitute “(VIII)”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 30 – Senators Klausmeier and Kittleman**

AN ACT concerning

**Injured Workers’ Insurance Fund – Cancellation of Policies – Failure to Pay a Premium**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 49 – Senator Astle**

AN ACT concerning

**Horse Racing – Maryland–Bred Race Fund – Administration**

**SB0049/217172/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 49

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Astle” and substitute “Senators Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Muse, and Pugh”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

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

**Senate Bill 121 – Chair, Finance Committee (By Request – Departmental – Maryland Health Insurance Plan)**

AN ACT concerning

**Senior Prescription Drug Assistance Program – Sunset Extension**

**SB0121/227075/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 121

(First Reading File Bill)

On page 1, in the sponsor line, after “Plan” insert “and Senators Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Muse, and Pugh”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**MOTION**

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #1  
February 2, 2012

**Appeals, Court of**

1. Robert N. McDonald, Esq. District 42

Judge of the Court of Appeals of Maryland; appointed to serve a term of ten years from January 24, 2012

**Special Appeals, Court of**

2. Stuart R. Berger District 43

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from January 25, 2012

**Environment, Department of the**

3. Robert M. Summers, Ph.D. District 42  
1800 Washington Blvd.  
Baltimore, MD 21230

Secretary of Department of the Environment; appointed to serve at the pleasure of the Governor

**Human Resources, Department of**

4. Ted Dallas District 46  
7 N. Calvert Street, #1702  
Baltimore, MD 21202

Secretary of Department of Human Resources; appointed to serve at the pleasure of the Governor

**Maryland Insurance Administration**

5. Therese M. Goldsmith, Esq. District 12  
203 Hilton Avenue  
Catonsville, MD 21228

Maryland Insurance Commissioner; appointed to serve remainder of a term of four years from June 1, 2011

**State Police, Maryland**

6. Marcus L. Brown District 46  
147 South Linwood Avenue  
Baltimore, MD 21224

Secretary of Maryland State Police; appointed to serve at the pleasure of the Governor

**African American History and Culture, Commission on**

7. Dale G. Green District 43  
1305 Northview Road  
Baltimore, MD 21218

Member of the Commission on African American History and Culture; appointed to serve a term to expire June 30, 2015

8. Michael G. Kent District 27  
1925 Kings Landing Road  
Huntingtown, MD 20639

Member of the Commission on African American History and Culture; appointed to serve a term to expire June 30, 2014

9. Lyndra Levin Marshall District 25  
1600 Fairlakes Place  
Bowie, MD 20721

Member of the Commission on African American History and Culture; appointed to serve a term to expire June 30, 2013

10. Barbara J. Mobarak District 11  
16 Estates Court, Apt. 6104  
Pikesville, MD 21208

Member of the Commission on African American History and Culture; appointed to serve a term to expire June 30, 2013

11. Clara L. Small, Ph.D. District 37  
409–J Moss Hill Lane  
Salisbury, MD 21804

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2010

**Agricultural and Resource–Based Industry Development Corporation, Board of Directors of the Maryland**

12. Peter P. Alexander District 38  
900 Sapphire Court  
Salisbury, MD 21804

Member of the Board of Directors of the Maryland Agricultural and Resource–Based Industry Development Corporation; reappointed to serve a term of four years from July 1, 2008

13. James Robert Frazee District 5  
713 Lythe Hill Court  
Westminster, MD 21158

Member of the Board of Directors of the Maryland Agricultural and Resource–Based Industry Development Corporation; reappointed to serve a term of four years from July 1, 2008

14. Howard D. Leathers, Ph.D. District 21  
6915 Carleton Terrace  
College Park, MD 20740

Member of the Board of Directors of the Maryland Agricultural and Resource–Based Industry Development Corporation; reappointed to serve a term of four years from July 1, 2008

15. Douglas Lipton District 14  
316 Kimblewick Drive  
Silver Spring, MD 20904

Member of the Board of Directors of the Maryland Agricultural and Resource–Based Industry Development Corporation; appointed to serve remainder of a term of four years from July 1, 2009

16. Sarah J. O’Herron District 18  
9519 Bruce Drive  
Silver Spring, MD 20901

Member of the Board of Directors of the Maryland Agricultural and Resource–Based Industry Development Corporation; appointed to serve remainder of a term of four years from July 1, 2007 and for a term of four years from July 1, 2011

17. Pamela N. Saul District 14  
3031 Mount Carmel Cemetery Road  
Brookeville, MD 20833

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Development Corporation; appointed to serve remainder of a term of four years from July 1, 2009

### **Appalachian States Low-Level Radioactive Waste Commission**

18. Edward C. Hammerberg District 40  
1477 Roland Heights Avenue  
Baltimore, MD 21211

Member of the Appalachian States Low-Level Radioactive Waste Commission; appointed to serve a term of two years from May 7, 2011

19. Joshua M. Sharfstein, M.D. District 41  
5820 Pimlico Road  
Baltimore, MD 21209

Member of the Appalachian States Low-Level Radioactive Waste Commission; reappointed to serve a term of two years from May 7, 2011

20. Robert M. Summers, Ph.D. District 42  
515 Anneslie Road  
Towson, MD 21212

Member of the Appalachian States Low-Level Radioactive Waste Commission; appointed to serve a term of two years from May 7, 2011

### **Apprenticeship and Training Council**

21. Edwin A. Cluster, Jr. District 5  
19801 Valley Mill Road  
Freeland, MD 21053

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2009

22. Larry R. Greenhill, Sr. District 25  
7903 Hastings Lane  
Clinton, MD 20735

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2011

**Architects, State Board of**

23. Paul D. Edmeades District 35  
1418 Saratoga Drive  
Bel Air, MD 21014

Member of the State Board of Architects; reappointed to serve a term of five years from July 1, 2011

**Automobile Insurance Fund, Board of Trustees of the Maryland**

24. Timothy J. Murphy, Esq. District 28  
108 La Grange Avenue  
La Plata, MD 20646

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve at the pleasure of the Governor

**Boiler Rules, Board of**

25. Carey Dove District 9  
1040 Old Woodbine Road  
Woodbine, MD 21792

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2012

**Canal Place Preservation and Development Authority**

26. Mark L. Widmyer District 1  
12413 Butler Drive  
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve a term of four years from June 1, 2011

**Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the**

27. Gerald W. Clark District 29  
12195 Preston Dr.  
Lusby, MD 20657

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2011

28. James R. Gesl, D.D.S. District 28  
11230 Keeokee Court  
Swan Point, MD 20645

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2011

### **Chiropractic and Massage Therapy Examiners, State Board of**

29. David A. Cox District 19  
12502 Plaza Place  
Rockville, MD 20853

Member of the State Board of Chiropractic and Massage Therapy Examiners; appointed to serve a term of four years from July 1, 2011

### **Civil Rights, Commission on**

30. Robert L. Baum, Esq. District 16  
6308 Marywood Road  
Bethesda, MD 20817

Member of the Commission on Civil Rights; appointed to serve remainder of a term of six years from July 1, 2009

31. Binyamin Y. Marwick District 42  
2503 Farington Road  
Baltimore, MD 21209

Member of the Commission on Civil Rights; appointed to serve a term of six years from July 1, 2011

32. Gina McKnight Smith, Pharm.D. District 10  
8706 Winands Road  
Randallstown, MD 21133

Member of the Commission on Civil Rights; appointed to serve remainder of a term of six years from July 1, 2009

**Handgun Permit Review Board**

33. Rolinda S. Collinson District 27  
P.O. Box 53  
Friendship, MD 20758

Member of the Handgun Permit Review Board; reappointed to serve a term of three years from March 27, 2011

34. W. Roland Knapp District 8  
8504 Woodfall Road  
Nottingham, MD 21236

Member of the Handgun Permit Review Board; appointed to serve a term of three years from March 27, 2011

35. Charles Louis Washington District 27  
10711 Mattaponi Road  
Upper Marlboro, MD 20772

Member of the Handgun Permit Review Board; reappointed to serve a term of three years from March 27, 2011

**Stadium Authority, Maryland**

36. Joseph C. Bryce, Esq. District 33  
802 Vacation Drive  
Odenton, MD 21113

Member of the Maryland Stadium Authority; appointed to serve a term of four years from July 1, 2011

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**African American History and Culture, Commission on**

- S-1. Cheryl J. LaRoche District 16  
5333 Strathmore Avenue  
Kensington, MD 20895

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2011

- S-2. Theodore H. Mack District 33  
619 Woodsmans Way  
Crownsville, MD 21032

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2011

**Agricultural and Resource-Based Industry Development Corporation, Board of Directors of the Maryland**

- S-3. Phyllis E. Kilby District 37  
795 Firetower Road  
Colora, MD 21917

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Development Corporation; reappointed to serve a term of four years from July 1, 2011

- S-4. Faith Elliott Rossing District 36  
3601 Goldsboro Road  
Henderson, MD 21640

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Development Corporation; reappointed to serve a term of four years from July 1, 2011

**Appalachian States Low-Level Radioactive Waste Commission**

- S-5. Clifford Seth Mitchell, M.D. District 41  
5705 Woodcrest Avenue  
Baltimore, MD 21215

Member of the Appalachian States Low-Level Radioactive Waste Commission; reappointed to serve a term of two years from May 7, 2011

**Apprenticeship and Training Council**

- S-6. Michelle L. Butt District 9  
11464 Old Frederick Road  
Marriottsville, MD 21104

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2011

**Arts Council, Maryland State**

- S-7. Nilimma S. Devi District 18  
1524 Forest Glen Road  
Silver Spring, MD 20910

Member of the Maryland State Arts Council; reappointed to serve a term of three years from July 1, 2011

- S-8. Susanna Nemes, Ph.D. District 19  
18303 Wickham Road  
Olney, MD 20832

Member of the Maryland State Arts Council; reappointed to serve a term of three years from July 1, 2011

**Assistive Technology Loan Program Board of Directors**

- S-9. Lawrence N. Adams District 34  
712 Teal Court  
Havre de Grace, MD 21078

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

- S-10. Ethelette W. Ennis District 6  
4017 St. Monica Drive  
Baltimore, MD 21222

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

- S-11. Joshua L. Friedman, Esq. District 41  
3022 Temple Gate Road  
Baltimore, MD 21209

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

- S-12. Mollyne Honor District 40  
3707 Beech Avenue  
Baltimore, MD 21211

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

S-13. Regina V. Lee-Byrd  
7825 Mandan Road #104  
Greenbelt, MD 20770

District 22

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

S-14. Sue C. Lin  
2114 Darcy Green Place  
Silver Spring, MD 20910

District 18

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

S-15. Margaret L.M. Maxberry  
8101 Eastern Avenue, #413  
Silver Spring, MD 20910

District 20

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

### **Boiler Rules, Board of**

S-16. Leonard Billian  
P.O. Box 1387  
Brooklandville, MD 21022

District 42

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2012

### **Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the**

S-17. Laurie R. Feinberg  
3411 University Place  
Baltimore, MD 21218

District 43

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2011

**Clean Energy Center, Board of Directors for Maryland**

S-18. Eric D. Wachsman District 13  
9469 Lovat Road  
Fulton, MD 20759

Member of the Board of Directors for the Maryland Clean Energy Center; reappointed to serve a term of four years from July 1, 2011

**Local Nominees**

**Please Note:** Local Nominees are not required to appear before the Senate Executive Nominations Committee.

**Allegany County Board of Elections**

L-1. Richard Lee DeVore, Jr. District 1  
10325 Mason Dixon View, NW, P.O. Box 45  
Ellerslie, MD 21502

Member of the Allegany County Board of Elections; appointed to serve a term of four years from June 6, 2011

L-2. John T. Stakem District 1  
167 West Main Street  
Frostburg, MD 21532

Member of the Allegany County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

**Baltimore City Board of Elections**

L-3. Cory McCray District 45  
6908 Brook Avenue  
Baltimore, MD 21206

Member of the Baltimore City Board of Elections; appointed to serve a term of four years from June 6, 2011

L-4. Frankie L. Powell District 41  
5123 Queensberry Avenue  
Baltimore, MD 21215

Member of the Baltimore City Board of Elections; appointed to serve a term of four years from June 6, 2011

**Caroline County Board of Elections**

- L–5. Warner G. Johnson District 37  
27320 Chipman Lane  
Federalsburg, MD 21632

Member of the Caroline County Board of Elections; appointed to serve a term of four years from June 6, 2011

- L–6. Greta H. Scanlan District 36  
24561 Mill Creek Lane  
Denton, MD 21629

Member of the Caroline County Board of Elections; appointed to serve a term of four years from June 6, 2011

**Charles County Board of Elections**

- L–7. Katherine M. O'Malley–Simpson District 28  
8305 Clamber Hill Place, P.O. Box 163  
Port Tobacco, MD 20677

Member of the Charles County Board of Elections; appointed to serve a term of four years from June 6, 2011

- L–8. Norman J. Saunders, Sr. District 28  
11955 Woodbury Road  
Nanjemoy, MD 20662

Member of the Charles County Board of Elections; appointed to serve a term of four years from June 6, 2011

**Frederick County Board of Elections**

- L–9. Raymond E. Bentz District 3  
125 Cody Drive, #33  
Thurmont, MD 21788

Member of the Frederick County Board of Elections; appointed to serve a term of four years from June 6, 2011

L-10. Earlene Hairstone Thornton, Ed.D. District 3  
5303 Hines Road  
Frederick, MD 21704

Member of the Frederick County Board of Elections; appointed to serve a term of four years from June 6, 2011

### **Harford County Board of Elections**

L-11. Kevin K. Keene, Esq. District 35  
1111 Glastonbury Way  
Bel Air, MD 21014

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 6, 2011

L-12. Benjamin D. Riley District 34  
2120 Old Edgewood Road  
Edgewood, MD 21040

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 6, 2011

L-13. Maria A. Terry District 34  
333 Oak Street  
Aberdeen, MD 21001

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 6, 2011

### **Montgomery County Board of Elections**

L-14. David Naimon, Esq. District 16  
7017 Wolfree Lane  
Rockville, MD 20852

Member of the Montgomery County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

L-15. Jacqueline L. Phillips District 18  
7900 Glendale Road  
Chevy Chase, MD 20815

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from June 6, 2011

**Somerset County Board of Elections**

L-16. Emily B. Ent District 38  
11378 Hayman Drive  
Princess Anne, MD 21853

Member of the Somerset County Board of Elections; reappointed to serve a term of four years from June 6, 2011

L-17. Jackie Lee Mills District 38  
5099 Annemessex Road  
Crisfield, MD 21817

Member of the Somerset County Board of Elections; appointed to serve a term of four years from June 6, 2011

**Washington County Board of Elections**

L-18. Tammy E. Downin District 2  
20103 Daniel's Circle  
Hagerstown, MD 21742

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 6, 2011

L-19. Carroll H. Earp District 2  
20315 Ayoub Lane  
Hagerstown, MD 21742

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 6, 2011

L-20. Bruce F. Field District 2  
11101 Dolores Court  
Hagerstown, MD 21742

Member of the Washington County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

**Wicomico County Board of Elections**

L-21. Phillip J. Doyle  
513 S. Pinehurst Avenue  
Salisbury, MD 21801

District 38

Member of the Wicomico County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 3, 2012.

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 106)

**ADJOURNMENT**

At 10:51 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 3, 2012.

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**Annapolis, Maryland**  
**Friday, February 3, 2012**  
**11:00 A.M. Session**

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The Senate met at 11:11 A.M.

Prayer by Senior Pastor James “Pat” Packett, Chesapeake Christian Fellowship, guest of Senator Reilly.

(See Exhibit A of Appendix III)

The Journal of February 2, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators King and Zirkin be excused from today’s session.

**QUORUM CALL**

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

(See Roll Call No. 108)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 202 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
American Heart Association  
in recognition of  
National Wear Red Day to help raise awareness  
about the No. 1 killer of women – heart disease.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 3rd day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 44    Negative – 0    (See Roll Call No. 109)

**INTRODUCTION OF BILLS****Senate Bill 505 – Senator Dyson**

AN ACT concerning

**Health Occupations – 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 exclude magnetic resonance imaging services, computed tomography scan services, and radiation therapy services unless certain conditions are met; altering certain exceptions to certain patient referral prohibitions; requiring a certain written statement to include certain information about health care entities that provide magnetic resonance imaging services, computed tomography scan services, and radiation therapy services under certain circumstances; requiring health care entities that provide magnetic resonance imaging services, computed tomography scan services, or radiation therapy services on or after a certain date to be accredited by certain organizations; requiring a health care entity that becomes accredited to maintain its accreditation, provide services in conformity with certain standards, and make available evidence of its accreditation; defining a certain term; and generally relating to the provision of 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 and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 1–701 to be under the new subtitle “Subtitle 7. 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 and 2011 Supplement)

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

**Senate Bill 506 – Senators Raskin, Gladden, Ramirez, and Stone**

AN ACT concerning

**Vehicle Laws – Provisional Driver’s Licenses – Driver Education Requirements**

FOR the purpose of reducing the period of time that certain individuals at least a certain age who hold a learner’s instructional permit are required to wait before taking certain examinations for a provisional driver’s license; establishing that certain driving practice requirements and a requirement to complete a certain driver skills log book before taking certain examinations for a provisional driver’s license do not apply to an individual at least a certain age; and generally relating to driver education requirements for obtaining a provisional driver’s license.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–105(d) and 16–111(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 507 – Senators Kelley, Glassman, Kittleman, Klausmeier, and Pipkin**

AN ACT concerning

**Financial Institutions – Interest Payable on Escrow Accounts and Specific Purpose Savings Accounts**

FOR the purpose of altering the interest rate payable by certain lending institutions on escrow accounts created in connection with loans secured by a first mortgage or first deed of trust on residential real property; requiring the interest rate to be adjusted under certain circumstances; altering the interest rate payable by certain banking institutions on interest bearing accounts instituted for a specific purpose; repealing certain obsolete language; providing for the application of this Act; and generally relating to rates of interest payable on escrow accounts and savings accounts.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–109 and 12–1026(b)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 12–1026(a)

Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 5–302(b)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

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

**Senate Bill 508 – Senator Kelley**

AN ACT concerning

**Assisted Reproduction Agreements – Court Approval, Notice, and Required Records**

FOR the purpose of authorizing intended parents, gamete donors, and a prospective gestational carrier to enter into a certain gestational agreement under certain circumstances; authorizing a gestational agreement to contain certain provisions; requiring a provider to provide each participant involved in an assisted reproduction with a certain notice containing certain information; authorizing the intended parents, gamete donors, or prospective gestational carrier to petition a circuit court to validate a gestational agreement under certain circumstances; authorizing a circuit court to validate a gestational agreement under certain circumstances; establishing that the circuit court has exclusive jurisdiction over certain matters for a certain period of time; authorizing certain parties to terminate a gestational agreement without liability in a certain manner; requiring the court to vacate an order validating a gestational agreement under certain circumstances; authorizing the court to impose sanctions or terminate a gestational agreement under certain circumstances; providing that the marriage of the gestational carrier after a gestational agreement is validated does not affect the validity of the gestational agreement; authorizing a gamete donor to be reimbursed under certain circumstances; requiring a certain notice to be filed within a certain period of time after a certain child is born; authorizing certain parties to file the notice under certain circumstances; requiring the court to issue a certain order after receiving the notice; requiring the court to order genetic testing of the child under certain circumstances; requiring a certain mental health professional to perform an initial mental health consultation that meets certain standards on each participant; requiring the mental health professional to offer certain additional counseling, perform a certain evaluation, and advise certain participants that they may request certain information; establishing certain circumstances under which it is presumed that the mental health professional offered additional counseling; requiring the mental health professional to provide the provider with a certain statement; establishing that certain

information is medical information; requiring a provider to require a certain participant who is an intended parent to sign a certain written consent; establishing that failure to sign the written consent does not preclude a certain finding of parentage under certain circumstances; requiring the provider to register certain information with the Assisted Reproduction Registry developed and maintained by the Department of Health and Mental Hygiene; authorizing a participant to withdraw consent to participate in assisted reproduction at any time before the transfer of gametes or embryos; establishing the parentage of a child resulting from assisted reproduction under certain circumstances; requiring certain consideration paid to be reasonable and negotiated in good faith; prohibiting consideration paid to be conditioned on certain factors; requiring the Department to develop and maintain an Assisted Reproduction Registry; establishing that the registry consists of certain information; authorizing the Department to disclose certain information under certain circumstances; requiring the Department to adopt certain regulations; defining certain terms; making the provisions of this Act severable; and generally relating to assisted reproduction agreements.

BY adding to

Article – Family Law

Section 5–901 through 5–911 to be under the new subtitle “Subtitle 9. Assisted Reproduction”

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 509 – Senators Frosh, Madaleno, and Raskin**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – Montgomery County Bikesharing Phase II**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$750,000, the proceeds to be used as a grant to the County Executive and County Council of Montgomery County for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 510 – Senator Frosh**

AN ACT concerning

**Maryland Health Insurance Plan – Denials of Eligibility for Coverage –  
Hearings and Appeal Process**

FOR the purpose of requiring the Board of Directors for the Maryland Health Insurance Plan to give an individual an opportunity for a certain hearing before the Board denies the eligibility of the individual for coverage under the Plan; requiring the Board to give notice and hold the hearing in accordance with certain provisions of law; authorizing the individual to be represented by counsel at the hearing; authorizing the Board to issue certain subpoenas under certain circumstances; authorizing any person aggrieved by a certain decision of the Board to take an appeal as allowed by certain provisions of law; and generally relating to an appeal process for denials of eligibility for coverage under the Maryland Health Insurance Plan.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 14–501(a), (c), and (j)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Insurance  
Section 14–509.1  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 511 – Senators Frosh, Raskin, Ferguson, Madaleno, Manno,  
Montgomery, Pinsky, Ramirez, Robey, and Rosapepe**

AN ACT concerning

**Community Cleanup and Greening Act of 2012**

FOR the purpose of 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 Comptroller; requiring the Comptroller to retain a certain amount of money for a certain purpose; requiring the Comptroller to distribute certain amounts of money to the Department of Labor, Licensing, and Regulation, the Chesapeake Bay Trust, and certain counties under certain circumstances; requiring the

Chesapeake Bay Trust and certain counties to report certain information to the Comptroller on an annual basis and in a certain manner; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations in accordance with certain requirements; establishing certain maximum penalties for certain violations; altering the list of allowable grants that may be made by the Chesapeake Bay Trust; requiring the Comptroller to distribute a certain amount of money to the Department of Human Resources on or before a certain date for a certain purpose; requiring the Department of Human Resources to conduct a certain public outreach campaign in accordance with certain requirements; providing for the application of certain provisions of this Act; providing for a delayed effective date; defining certain terms; and generally relating to carryout bags, community greening efforts, and the restoration of the watersheds of the State, including the Chesapeake and Atlantic Coastal Bays.

BY adding to

Article – Business Regulation  
Section 19–103  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 1–704  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

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

**Senate Bill 512 – Senators Frosh, Conway, Forehand, Gladden, Kelley, Madaleno, Manno, Montgomery, Ramirez, Raskin, and Rosapepe**

AN ACT concerning

**Regulated Firearms – Database – Applications for Dealer’s License – Record Keeping and Reporting Requirements**

FOR the purpose of authorizing the Criminal Justice System Central Repository in the Department of Public Safety and Correctional Services to disseminate certain reportable events to the Department of State Police; authorizing the Department of State Police to make certain information available to local law enforcement agencies to aid the investigation of individuals who possess a firearm despite being prohibited from possessing a firearm; requiring the Secretary of State Police or the Secretary’s designee to disapprove an application for a State–regulated firearms dealer’s license if the Secretary or 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 designee suspend a dealer's license if the licensee is not in compliance with certain record keeping and reporting requirements; requiring that a licensed dealer keep records of all receipts, sales, and other dispositions of firearms affected in connection with the licensed dealer's business; requiring the Secretary or 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 way after receipt from the Secretary or designee for certain information; authorizing the Secretary or designee to implement a system by which a certain person may request certain information; requiring the Secretary or designee to inspect the inventory and records of a licensed dealer under certain circumstances; authorizing the Secretary or designee to conduct a certain inspection during a certain time; providing certain penalties; and generally relating to regulated firearms dealers and applicants for a regulated firearms dealer's license.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–219(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Criminal Procedure

Section 10–219(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 5–101(a) and (s)

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–110(a), 5–114(a), and 5–115

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

BY adding to

Article – Public Safety

Section 5–144

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

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

**Senate Bill 513 – Senator Shank**

AN ACT concerning

**State Finance and Procurement – Renewable Energy Resources – Lease of State Property**

FOR the purpose of requiring the Board of Public Works to lease certain renewable energy resources in accordance with certain provisions of law; requiring the Board to charge a certain rental fee and certain royalties in a certain lease in a certain manner; prohibiting the Board from approving a certain lease until certain information is submitted to the Legislative Policy Committee and a certain lease is approved by the Legislative Policy Committee or the General Assembly in a certain manner; defining certain terms; and generally relating to the lease of renewable energy resources located on real property owned by the State.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 1–101(bb)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 10–307  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 514 – Senator Shank**

AN ACT concerning

**Public Safety – Law Enforcement Handgun Disposal – Deceased Officers**

FOR the purpose of authorizing a law enforcement agency to transfer the handgun of a law enforcement officer who is killed or dies in the performance of duty to certain members of the deceased officer's family or to the deceased officer's estate; authorizing a law enforcement agency to render the handgun of a deceased officer inoperable before transfer; and generally relating to the disposal of handguns by law enforcement agencies.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–501  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 515 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Washington County – Assault – Global Positioning Satellite Tracking Pilot Program**

FOR the purpose of expanding the global positioning satellite tracking system pilot program in Washington County to authorize the court, if the court suspends the sentence of a certain defendant convicted of first or second degree assault, to order the defendant to be supervised by active electronic monitoring as a condition of probation under certain circumstances; authorizing the court to order a certain defendant to be supervised by active electronic monitoring for the duration of probation; authorizing the court to order a certain defendant to maintain a landline telephone number during the duration of the active electronic monitoring under certain circumstances; extending the termination date for provisions of law concerning the global positioning satellite tracking system pilot program in Washington County; altering a certain date on or before which abrogation of this Act does not terminate the obligation of a defendant to comply with an order entered by a court under this Act; and generally relating to a global positioning satellite tracking system pilot program in Washington County.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 6–221(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 464 of the Acts of 2010  
Section 3 and 4

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

**Senate Bill 516 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Riverdale Sportsplex**

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 School Board of the Riverdale Baptist 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; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 517 – Senator Shank**

AN ACT concerning

**Estates and Trusts – Slayer’s Rule  
(Ann Sue Metz Law)**

FOR the purpose of clarifying that a person who feloniously and intentionally kills the decedent is disqualified from inheriting, taking, enjoying, receiving, or otherwise benefitting from the estate, insurance proceeds, or property of the decedent; clarifying that a person may not inherit, take, enjoy, receive, or otherwise benefit from the estate, insurance proceeds, or property of the decedent as a direct result of the disqualification of the killer of a certain decedent, even though that person is innocent of any wrongdoing; establishing that a certain person shall be treated as if the person predeceased a certain decedent; requiring a certain person to make restitution to another person in certain circumstances; establishing the liability of a certain person in certain circumstances; authorizing a court to order that a certain benefit be held in trust for a certain person; providing for the application of this Act; and generally relating to the killing of a decedent.

BY adding to

Article – Estates and Trusts

Section 11–112

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

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

**Senate Bill 518 – Senator Shank**

AN ACT concerning

**Procurement – Lower Cost Goods and Services**

FOR the purpose of providing that when a primary procurement unit makes a certain determination concerning its participation in a certain intergovernmental cooperative purchasing agreement, the determination will include a statement that the agreement will allow an entity whose procurement is managed by the primary procurement unit to withdraw the entity's participation under the agreement under certain circumstances; and generally relating to an entity's withdrawal from an intergovernmental cooperative purchasing agreement.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–110  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 519 – Senator Shank**

AN ACT concerning

#### **Corporate Income Tax – Investments in Maryland**

FOR the purpose of altering the Maryland corporate income tax rate for certain corporations that make certain investments in the State; requiring certain corporations to make a certain calculation and submit a certain declaration stating the intent of the corporation to make certain investments; requiring certain corporations to provide evidence of certain qualifying investments for certain tax years; authorizing the Comptroller to collect a certain amount as unpaid tax from certain corporations that do not provide certain evidence; requiring the Comptroller to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to the Maryland corporate income tax rate for certain corporations.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–105.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 520 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Walker Mill Community  
Development Corporation**

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 Walker Mill Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 521 – Senators Shank, Brochin, Colburn, Jacobs, and Stone**

AN ACT concerning

**Justice’s Law**

FOR the purpose of expanding the list of persons who can be convicted of first-degree child abuse under certain circumstances; 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 2011 Supplement)

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

**Senate Bill 522 – Senators Shank, Brinkley, Colburn, Edwards, Klausmeier,  
and Rosapepe**

AN ACT concerning

**State Highway Administration – Permits – Business Access to State  
Highways**

FOR the purpose of requiring the State Highway Administration to make a final determination whether to issue a permit to grant access from certain business property to a State highway within a certain time period; specifying that the Administration is deemed to have issued the permit if the Administration fails to act within a certain time period; specifying that the State Highway Administrator may extend the time period for the Administration to act on the permit request under certain circumstances; and generally relating to a request for a permit for access to a State highway from business property.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–625  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 523 – Senator Manno**

AN ACT concerning

**Income Tax – Repeal of the 1997 Income Tax Reduction**

FOR the purpose of altering the State income tax rate on certain income of individuals; requiring the Comptroller to waive certain interest and penalties for a certain calendar year to a certain extent; repealing an obsolete provision; providing for the application of this Act; and generally relating to altering the calculation of the State income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 524 – Senators King, Conway, Ferguson, Forehand, Garagiola, Jones–Rodwell, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Pugh, Ramirez, Robey, Rosapepe, and Zirkin**

AN ACT concerning

**Maryland After–School and Summer Opportunity Fund Program**

FOR the purpose of transferring the Maryland After–School Opportunity Fund Program from the State Department of Education to the Governor’s Office for

Children; altering the name of the Program; requiring the Executive Committee of the Program’s Advisory Board to use a certain framework and consult with a certain network; altering the membership of the Program’s Advisory Board and requiring the Advisory Board to develop a certain strategy; requiring a certain plan to address certain issues; limiting grant eligibility to nonprofit organizations; establishing certain parameters for awarding grants; requiring the Executive Committee to review annually certain regulations and to adopt certain regulations by a certain time; making conforming changes; defining certain terms; and generally relating to the Maryland After–School and Summer Opportunity Fund Program.

BY transferring

Article – Education

Section 7–1201 through 7–1207, respectively, and the subtitle “Subtitle 12. Maryland After–School Opportunity Fund Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

to be

Article – Human Services

Section 8–1101 through 8–1107, respectively, and the subtitle “Subtitle 11. Maryland After–School Opportunity Fund Program”

Annotated Code of Maryland

(2007 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 8–1101 through 8–1107 to be under the amended subtitle “Subtitle 11. Maryland After–School and Summer Opportunity Fund Program”

Annotated Code of Maryland

(2007 Volume and 2011 Supplement)

(As enacted by Section 1 of this Act)

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

**Senate Bill 525 – Senators King, Garagiola, Manno, Peters, and Robey**

AN ACT concerning

**Homestead Property Tax Credit – Eligibility – Child Support Payments**

FOR the purpose of authorizing the Child Support Enforcement Administration to send a certain certification to the State Department of Assessments and Taxation concerning certain child support obligors; requiring the Administration to send a certain notice to certain obligors; providing for the right of an obligor to challenge the Administration’s certification by requesting an investigation within a certain time frame; requiring the Administration to

conduct a certain investigation and notify the obligor of the outcome; requiring the Administration to correct a certain amount under certain circumstances; authorizing the Administration and obligor to negotiate a payment plan; prohibiting the Administration from notifying the Department under certain circumstances; requiring the Department to revoke the homestead property tax credit of certain homeowners under certain circumstances; prohibiting the Department from revoking the homestead property tax credit under certain circumstances; authorizing the Administration and the Department to adopt certain regulations; providing for the application of this Act; providing for a delayed effective date; and generally relating to eligibility of certain child support obligors for the homestead property tax credit.

BY adding to

Article – Family Law  
Section 10–113.3  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – Property  
Section 9–105(a)(1), (5), and (7) through (9)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 9–105(b)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – Property  
Section 9–105(i–1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 526 – Senators Forehand, Jones–Rodwell, Madaleno, Manno, and Montgomery**

AN ACT concerning

**Tobacco Tax – Healthy Maryland Initiative**

FOR the purpose of providing that the Tobacco Use Prevention and Cessation Program shall receive funding from the Other Tobacco Products Tax Fund under certain

circumstances; requiring money from the Fund to be used to supplement appropriations to the Tobacco Use Prevention and Cessation Program to reach a certain level of funding; requiring the revenue from the tobacco tax on other tobacco products to be deposited into the Fund after certain other distributions; altering the tobacco tax rates on cigarettes and other tobacco products; requiring a wholesaler to report the amount of other tobacco products sold on a tobacco tax return; establishing the Other Tobacco Products Tax Fund; establishing the purpose and uses of the Fund; requiring the Comptroller to administer the Fund; providing that certain unspent or unencumbered funds do not revert to the General Fund; specifying that the State Treasurer shall hold the Fund separately and that the Comptroller shall account for the Fund; designating the money to be deposited into the Fund; requiring the money in the Fund to be used to provide funding to the Tobacco Use Prevention and Cessation Program and certain other health initiatives in a certain manner; requiring the Treasurer to invest the money in the Fund in the same manner as other State money; requiring the investment earnings of the Fund to be deposited into the Fund; providing that money expended from the Fund for the Tobacco Use Prevention and Cessation Program and certain other health initiatives is supplemental; defining certain terms; and generally relating to the taxation of cigarettes and other tobacco products.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 13–1002(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 13–1002(d)(1) and 13–1015  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 2–1601 and 2–1602  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 2–1602.1; and 12–401 to be under the new subtitle “Subtitle 4. Other Tobacco Products Tax Fund”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 2–1603, 12–105, and 12–202  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 527 – Senator Edwards**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Class B Beer Licenses**

FOR the purpose of establishing in Garrett County a Class B beer license for certain hotels, motels, inns, and restaurants; authorizing the Board of License Commissioners to issue the license with or without a catering option; specifying the privileges of certain licenses; requiring that to exercise the catering option, a holder of a license meet certain requirements; specifying certain license fees; authorizing the Board to adopt certain regulations; and generally relating to Class B beer licenses in Garrett County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 3–201(m)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 528 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Prince George’s  
Community Safety and Surveillance Systems and Equipment – 23rd  
Legislative District**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$175,000, the proceeds to be used as a grant to the Board of Directors of the 301 Community Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 529 – Senator Robey**

AN ACT concerning

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

FOR the purpose of establishing that a certain prohibition against an individual who is under a certain age using a wireless communication device while operating a motor vehicle does not apply to the use of a wireless communication device as a text messaging device; making certain technical corrections; altering a certain definition; and generally relating to the use of a text messaging device while driving.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1124 and 21–1124.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 530 – Senator Peters**

AN ACT concerning

**Maryland Kinesiology Act**

FOR the purpose of requiring the State Board of Physicians to adopt regulations for the licensure and practice of kinesiotherapy; providing that this Act does not limit the rights of certain individuals to practice certain occupations; requiring the Board to set certain fees; establishing the Kinesiotherapy Advisory Committee within the Board; providing for the membership, powers, duties, and a chair 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 kinesiotherapy; providing that certain licensing provisions do not apply to certain students practicing kinesiotherapy under certain circumstances; providing for the qualifications for a license to practice kinesiotherapy; providing for the scope of a license to practice kinesiotherapy; providing for the issuance, expiration, and renewal of certain licenses; requiring a licensee to report certain information to the Board within a certain period of time; establishing a certain penalty; requiring a license be displayed in a certain manner; 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 kinesiotherapists; prohibiting certain acts;

providing for certain criminal and civil penalties; establishing certain reporting requirements; requiring that an evaluation of the Committee be performed on or before a certain date; requiring that initial kinesiologist 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; and generally relating to the licensure and regulation of the practice of kinesiologist.

BY renumbering

Article – State Government

Section 8–403(b)(33) through (69), respectively

to be Section 8–403(b)(34) through (70), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 14–5F–01 through 14–5F–24 to be under the new subtitle “Subtitle 5F.  
Kinesiologists”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

Section 8–403(b)(33)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 531 – Senator Middleton**

AN ACT concerning

#### **Property and Casualty Insurance – Underwriting Period – Discovery of Material Risk Factor**

FOR the purpose of requiring an insurer that discovers a certain material risk factor during a certain underwriting period to recalculate the premium for a policy or binder of personal insurance, commercial property insurance, or commercial

liability insurance under certain circumstances; requiring the insurer to provide certain notice to the insured if the insurer recalculates the premium for the policy or binder based on the discovery of a certain material risk factor; providing that certain provisions of law requiring insurers to send certain notice of a premium increase for a policy of private passenger motor vehicle liability insurance do not apply to an increase in premium made by an insurer during the underwriting period under certain circumstances; defining a certain term; making stylistic changes; providing for the application of this Act; and generally relating to the recalculation of the premium for a policy or binder of property and casualty insurance during the underwriting period.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 12–106 and 27–614(b)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 27–614(a) and (c)(1) and (2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 532 – Senators Middleton, Astle, Brinkley, Colburn, DeGrange, Dyson, Edwards, Getty, Glassman, Jacobs, Jennings, Kittleman, Mathias, Peters, Pipkin, Reilly, Robey, Shank, and Simonaire**

AN ACT concerning

**Department of Planning – State Development Plan – Use and Conflicts of Law**

FOR the purpose of prohibiting the State Development Plan from being used to create or establish a new cause for State denial of certain projects, permits, or approvals or to deny certain State funding; requiring the Department of Planning and a certain county or municipal corporation to meet in good faith and seek to resolve a certain conflict under certain circumstances; providing that the comprehensive plan, zoning laws, and local ordinances of a county or municipal corporation shall govern for a certain purpose if a certain conflict is not resolved; and generally relating to restrictions on the use of, and conflicts that may arise regarding, the State Development Plan.

BY adding to  
Article – State Finance and Procurement  
Section 5–606

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 533 – Senators Jones–Rodwell, Conway, Ferguson, Gladden, McFadden, and Pugh**

AN ACT concerning

**Baltimore City – School Construction – Block Grant**

FOR the purpose of requiring the State to provide a certain block grant each year to Baltimore City for certain public school construction projects; providing for the initial amount, the source of funding, and an annual increase in the amount of a certain annual block grant for certain school construction projects in Baltimore City; specifying the uses for a certain block grant; authorizing the Baltimore City Board of School Commissioners to acquire, construct, reconstruct, equip, maintain, repair, or renovate facilities at any location in Baltimore City through another entity acting as its agent and enter into contracts with public or private entities for such purposes; defining certain terms; and generally relating to school construction projects in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–306.1(a) and 5–301(d) through (j)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–301(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 5–301(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 534 – Senators Pugh, Currie, Gladden, and Jones–Rodwell**

AN ACT concerning

**Baltimore City – Alcoholic Beverages License – Repeal of Voter Registration Requirement for Licensees**

FOR the purpose of repealing, as to Baltimore City, the requirement that an authorized person of a limited liability company who holds an alcoholic beverages license be a registered voter in the City; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–101(c)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 535 – Senators Pugh, Benson, Conway, Currie, Gladden, Jones–Rodwell, Kelley, McFadden, Muse, Ramirez, and Robey**

AN ACT concerning

**Ex–Offender Business Development Program Study**

FOR the purpose of requiring the Department of Business and Economic Development, Department of Labor, Licensing, and Regulation, and the Division of Parole and Probation in the Department of Public Safety and Correctional Services jointly to study and evaluate the feasibility of establishing a business development program for ex–offenders and to identify funding sources for certain purposes; requiring the Departments and the Division jointly to report their findings under this Act on or before a certain date; and generally relating to business development for ex–offenders.

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

**Senate Bill 536 – Senators Pugh, Currie, Kelley, and Montgomery**

AN ACT concerning

**Environment – Radiology Safety – Regulations**

FOR the purpose of requiring the Department of the Environment to adopt regulations that incorporate by reference certain methodologies for radiology safety on or before a certain date; and generally relating to radiology safety in the State.

BY adding to

Article – Environment  
Section 8–307  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 537 – Senators Pugh, Benson, Conway, Currie, Garagiola, Gladden, Jones–Rodwell, Kelley, King, McFadden, Montgomery, Muse, and Ramirez**

AN ACT concerning

**State Finance and Procurement – Special Funds – Diversity**

FOR the purpose of requiring that the investments of certain special funds reflect the diversity of the State; prohibiting certain special funds from receiving fees from the public unless the industry that benefits from the special fund meets certain requirements; requiring the Governor’s Office of Minority Affairs to provide by regulation a certain determination; requiring the State Treasurer, in consultation with the Governor’s Office of Minority Affairs, to provide a certain report by a certain date; defining a certain term; and generally relating to a requirement that certain special funds be administered in a certain manner.

BY adding to  
Article – State Finance and Procurement  
Section 7–407  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 538 – Senator Zirkin**

AN ACT concerning

**Real Estate Brokers – Contracts – Real Estate Reform Act of 2012**

FOR the purpose of establishing that a presumed agency relationship between a real estate broker licensee and a buyer or lessee terminates if a certain period of time has passed since the licensee and the buyer or lessee entered into the relationship; establishing that the burden is on the licensee to establish that a presumed agency relationship has not terminated under certain provisions of law; requiring a brokerage agreement to contain a termination date occurring no later than a certain period of time after the date on which the agreement was

entered into; establishing that a certain real estate broker is deemed to have earned the customary or agreed commission only if certain circumstances are met, including a requirement that the contract with the broker be performed subject to a certain exception; providing that the broker may still earn the commission if the contract is prevented, hindered, or delayed by any act of the employer; repealing a provision that allows a special agreement to alter the statutory conditions under which a real estate broker may earn a commission; authorizing a certain real estate contract to contain a provision for the payment of legal fees by the losing party in a certain legal action only if the provision is equally applicable to both parties to the contract; declaring the intent of the General Assembly; making stylistic changes; and generally relating to the presumed buyer's or lessee's real estate agency relationships, length of real estate contracts, and payment of commission and legal fees in real estate contracts.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 17–533(b) and 17–534(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–105  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 14–105.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 539 – Senators Kelley and Montgomery**

AN ACT concerning

#### **Maryland Medical Assistance Program – Long–Term Care Services – Eligibility**

FOR the purpose of requiring the Department of Health and Mental Hygiene to provide an applicant for certain Maryland Medical Assistance Program services with a written notice of eligibility within a certain time period after the Department receives a certain application; providing that an applicant is presumptively eligible for certain Program benefits if the Department does not

make an eligibility determination within a certain time period; establishing the day on which an individual who is determined to be presumptively eligible shall receive certain Program benefits; requiring the Department to make a final decision regarding the eligibility of certain individuals for the Program within a certain time period; requiring the Department to provide certain notice to certain individuals before terminating Program benefits under certain circumstances; authorizing certain individuals to appeal a decision by the Department to terminate Program benefits within a certain time period; requiring the Department to continue to provide Program benefits under certain circumstances; establishing the circumstances under which the Department is required to make a determination of presumptive eligibility on subsequent applications from certain individuals; providing that the Department is not required to authorize presumptive eligibility under this Act if the Department has not received certain information or a certain application; requiring the Department and the Department of Human Resources to submit certain budget estimates in a certain manner; providing that a certain budget estimate shall be considered a certain estimate prescribed by law; requiring the Department and the Department of Human Resources to report certain information to the General Assembly on or before the first day of each month; defining certain terms; and generally relating to eligibility for long-term care services and the Maryland Medical Assistance Program.

BY adding to

Article – Health – General

Section 15–147

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 540 – Senator Astle**

AN ACT concerning

#### **Maryland Health Care Commission – Preauthorization of Medical Services and Pharmaceuticals – Standards**

FOR the purpose of requiring the Maryland Health Care Commission to adopt regulations to establish standards for the preauthorization of medical services and pharmaceuticals by certain payors, pharmacy benefits managers, and providers; requiring certain standards to include a certain exemption process; providing that certain standards may include certain penalties; and generally relating to the Maryland Health Care Commission and certain preauthorization standards.

BY repealing and reenacting, without amendments,  
Article – Health – General

Section 19–101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 19–108.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 541 – Senators Astle and Kittleman**

AN ACT concerning

#### **Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge**

FOR the purpose of stating the intent of the General Assembly with regard to a gas infrastructure replacement surcharge; authorizing a gas company to recover certain costs associated with certain gas infrastructure replacement projects through a certain surcharge on customer bills; requiring project cost calculations to include certain elements; specifying when costs shall be collectable; specifying how the pre-tax rate of return shall be calculated and adjusted and what it shall include; prohibiting the monthly surcharge from exceeding a certain amount; specifying certain criteria for adjustments for return on equity; requiring the Public Service Commission to consider certain factors when establishing revenue requirements; authorizing the Commission to hold a public hearing on a plan within a certain time frame; requiring the Commission to take final action on a plan within a certain time frame; requiring the Commission to take final action on an amendment to a plan within a certain time frame; authorizing the Commission to approve a plan under certain circumstances; requiring the Commission to approve a cost recovery schedule under certain circumstances; requiring that a surcharge be in effect for a certain time; requiring a gas company to file base rate case applications within a certain time frame; specifying costs to be included in a surcharge when base rate applications are filed; authorizing a gas company to implement a plan under certain circumstances; requiring a gas company implementing a plan to make certain refunds under certain circumstances; requiring the Commission to authorize the gas company to increase a surcharge under certain circumstances; prohibiting the Commission from considering certain factors when reviewing a plan except under certain circumstances; requiring a gas company to file certain plan amendments each year with the Commission; authorizing the Commission to review certain plans and take certain actions based on the review; requiring a gas company to file a revised base rate schedule with the Commission to subtract certain costs from a surcharge under certain circumstances; defining

certain terms; and generally relating to natural gas rate regulation and gas infrastructure replacement surcharges.

BY adding to

Article – Public Utilities

Section 4–210

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 542 – Senator Jones–Rodwell**

AN ACT concerning

**Local Government Investment Pool – Authorized Participants**

FOR the purpose of renaming the Local Government Investment Pool to be the Investment Pool; expanding the list of participants that may place certain funds in the Investment Pool to include certain units of State government or certain entities created by the State in addition to certain local governmental entities; making stylistic changes; defining certain terms; and generally relating to investment pools.

BY repealing and reenacting, with amendments,

Article 95 – Treasurer

Section 22G

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 543 – Senators Jones–Rodwell, Conway, Gladden, McFadden, and Pugh**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Licensed Premises – Extended Hours**

FOR the purpose of authorizing in Baltimore City certain premises, equipped with certain kitchen facilities and utensils and for which a Class B–D–7 license and an adult entertainment license have been issued, to continue certain operations after a certain time; prohibiting a patron from consuming alcoholic beverages after a certain time; specifying a certain fee; making a certain technical correction; and generally relating to the sale of alcoholic beverages in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–304(d) and 11–305(b)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 11–305(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 544 – Senators Ramirez, Raskin, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Ferguson, Forehand, Frosh, Garagiola, Glassman, Jacobs, Jennings, King, Kittleman, Madaleno, Manno, Mathias, Middleton, Miller, Montgomery, Peters, Pinsky, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Elected Officials – Removal from Office – Crimes**

FOR the purpose of requiring that an elected official of the State or of a county or municipal corporation who is convicted of or enters a certain plea relating to a felony or certain misdemeanors be removed from office by operation of law; repealing the provision of law that requires an elected official to be suspended from office by operation of law under certain circumstances; making stylistic changes; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article XV – Miscellaneous  
Section 2

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

#### MOTION

Senator Klausmeier moved to suspend Rule 32 to allow **Senate Bill 545 and Senate Bill 546** to be referred to the appropriate committee.

The motion was adopted.

## INTRODUCTION OF BILLS

### **Senate Bill 545 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

#### **Money Transmitters – Licensing Requirements and Participation in Nationwide Licensing System**

FOR the purpose of authorizing the Commissioner of Financial Regulation to participate in the establishment and implementation of a certain national licensing system for money transmitters; authorizing the Commissioner to adopt certain regulations that waive or modify the requirements of certain provisions of law governing money transmitters under certain circumstances; requiring each licensee or license applicant to obtain a certain unique identifier number on or after a certain date; requiring certain license applicants to apply for an initial license or license renewal through a certain nationwide licensing system on or after a certain date; providing that an applicant for a license shall complete, sign, and submit an application in accordance with the process that the Commissioner requires; providing that the applicant shall provide certain information to the Commissioner and comply with certain conditions and provisions of the application for a license; altering the information and documents that an applicant must provide with a license application; making certain investigation and license fees nonrefundable; altering certain license fees; requiring an applicant for an initial license and for each branch license to pay a certain fee imposed by a certain nationwide licensing system; requiring each person who engages in the business of money transmission to obtain and maintain a license for its principal executive office; altering certain requirements for the provision of fingerprints of applicants and licensees for criminal history records checks; requiring the fingerprints and certain information to be provided to a certain nationwide licensing system; authorizing the Commissioner to use a certain nationwide licensing system as a channeling agent for certain purposes; authorizing the Commissioner to request certain records and documents; providing that certain requirements regarding the privacy or confidentiality of certain information or material provided to a certain nationwide licensing system continue to apply after disclosure of the information or material to the system; authorizing the Commissioner to enter into certain information sharing agreements; providing that certain provisions of this Act supersede certain provisions of law under certain circumstances; altering the contents of a certain notice; altering the term of an initial license and the license renewal period; requiring a licensee to pay a certain fee in connection with an examination of the licensee; requiring the Commissioner to

report certain enforcement actions against a money transmitter or its authorized delegate and certain information to a certain nationwide licensing system; requiring the Commissioner to adopt regulations establishing a certain process; authorizing the Commissioner to submit to a certain nationwide licensing system certain information regarding enforcement actions against certain persons who are not licensees or authorized delegates; making certain conforming changes; defining certain terms; providing for the application of certain provisions of this Act; and generally relating to the regulation of money transmitters.

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 2–105.1, 12–401, 12–405, 12–407 through 12–409, 12–410(e), 12–411, 12–415(c), and 12–424

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY adding to

Article – Financial Institutions

Section 12–408.1 and 12–430.1

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

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

**Senate Bill 546 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Financial Institutions – Mortgage Lenders and Mortgage Loan Originators**

FOR the purpose of providing that an applicant for a mortgage lender license or a mortgage loan originator license shall complete, sign, and submit an application in accordance with the process that the Commissioner of Financial Regulation requires; providing that the applicants shall provide certain information to the Commissioner; making certain mortgage lender and mortgage loan originator license fees nonrefundable; requiring a mortgage lender licensee to provide proof to the Commissioner of satisfying certain minimum net worth requirements within a certain time period; altering the initial license term and renewal period for a mortgage lender license; altering certain reporting requirements for mortgage lender licensees; requiring a mortgage lender who is exempt from certain licensing requirements to submit certain reports to the Nationwide Mortgage Licensing System and Registry on behalf of certain persons; altering the circumstances under which an individual is prohibited from acting as a mortgage loan originator under a certain name or for a certain employer; prohibiting an individual from acting as an affiliated insurance

producer–mortgage loan originator under a certain name or for a certain employer unless the individual takes certain actions; requiring a certain mortgage loan originator licensee who ceases to be employed by a certain financial institution to notify the Commissioner within a certain time period; requiring a certain mortgage loan originator licensee’s license to be placed into nonactive status under certain circumstances; providing that it is a violation of certain provisions of law to engage in any activity for which a certain mortgage loan originator license is required while the license is in nonactive status; requiring a certain mortgage loan originator license that is in nonactive status to remain in nonactive status until the licensee takes certain actions; authorizing the Commissioner to issue a certain mortgage loan originator license to an individual who is not employed by a certain financial institution under certain circumstances; repealing certain obsolete provisions of law; making certain stylistic and conforming changes; and generally relating to the regulation of mortgage lenders and mortgage loan originators.

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 11–507(a), (b), and (d), 11–508.1, 11–511(a) and (b), 11–513.1, 11–603(c), 11–604(b) and (c), and 11–608(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY repealing

Article – Financial Institutions

Section 11–603.1(l)

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY adding to

Article – Financial Institutions

Section 11–603.1(l) and (m)

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

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

## INTRODUCTION OF BILLS

**Senate Bill 547 – Senator Dyson**

AN ACT concerning

**Creation of a State Debt – Calvert County – Calvert Marine Museum  
Exhibition 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 Calvert Marine Museum Society, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 548 – Senator Montgomery**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Woodlawn Barn Visitor’s 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 Trustees of the Montgomery County Parks Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 549 – Senators Montgomery, Benson, Colburn, Mathias, Ramirez, and Raskin**

AN ACT concerning

**Small Business Reserve Program – Definition of Small Business – Revision**

FOR the purpose of altering the definition of “small business” under the Small Business Reserve Program under the State procurement law; including small businesses that meet either the limitation on employees employed by the business or the limitation on gross sales of the business under the Small Business Reserve Program; and general relating to the Small Business Reserve Program.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 14–501(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–501(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 550 – Senators Montgomery, Benson, Glassman, Jacobs, Middleton, Rosapepe, and Young**

AN ACT concerning

**Health – Cottage Food Businesses – Requirements**

FOR the purpose of providing that a cottage food business is not required, under certain circumstances, to be licensed by the Department of Health and Mental Hygiene; providing that the owner of a cottage food business may sell only cottage food products that are stored on certain premises and prepackaged with a certain label; requiring the owner of a cottage food business to comply with certain county and municipal laws and ordinances; authorizing the Department to investigate certain complaints; authorizing a representative of the Department to enter and inspect, under certain circumstances, the premises of a cottage food business for a certain purpose; prohibiting the owner of a cottage food business from refusing to grant certain access to the premises and interfering with a certain inspection; providing that a person who violates this Act is not subject to certain penalties; providing that certain provisions of this Act do not exempt a cottage food business from certain tax laws; providing for the application of this Act; defining certain terms; altering certain definitions; and generally relating to cottage food businesses.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 21–301(a) and (f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 21–301(b–1) and (b–2) and 21–330.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–301(g) and (h) and 21–1214

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 551 – Senators Montgomery and King**

AN ACT concerning

**Procurement – Required Disclosure – Conflict Minerals Originated in the Democratic Republic of the Congo**

FOR the purpose of prohibiting a unit of State government from procuring supplies or services from persons that fail to disclose in a certain manner as required by federal law certain information relating to conflict minerals that originated in the Democratic Republic of the Congo or its neighboring countries; requiring a unit of State government to provide notice of the prohibition in any solicitation for supplies or services; defining certain terms; and generally relating to required disclosure of information related to conflict minerals originated in the Democratic Republic of the Congo or its neighboring countries.

BY adding to

Article – State Finance and Procurement  
Section 14–413  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 552 – Senator Rosapepe**

AN ACT concerning

**Motor Vehicle Combinations – Use on Maryland Route 212 Prohibited**

FOR the purpose of prohibiting certain motor vehicle combinations designed and used for certain purposes and totaling a certain length from using Maryland Route 212 in Prince George’s County; and generally relating to prohibiting certain motor vehicles from using Maryland Route 212 in Prince George’s County.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 24–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 553 – Senator Rosapepe**

AN ACT concerning

**Maryland–Washington Metropolitan District and Regional District –  
Boundaries – City of Laurel**

FOR the purpose of altering a certain provision of law to provide that the boundaries of the Maryland–Washington Metropolitan District do not include certain property annexed by the City of Laurel during a certain time period; 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 certain property annexed by the City of Laurel during a certain time period; and generally relating to the boundaries of the Maryland–Washington Metropolitan District and the Maryland–Washington Regional District.

BY repealing and reenacting, with amendments,  
Article 28 – Maryland–National Capital Park and Planning Commission  
Section 3–102(b) and 7–103  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 554 – Senator Getty**

AN ACT concerning

**Ethics – Financial Disclosure – Local Officials**

FOR the purpose of establishing that certain enhanced financial disclosure requirements for elected municipal officials apply only to municipal corporations that exceed a certain population level; clarifying the application of certain local financial disclosure requirements; and generally relating to financial disclosure requirements for local officials.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–209 and 15–803  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 15–805  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 555 – Senator Getty**

AN ACT concerning

**Public Health – Retail Establishments – Use of Toilet Facilities by Customers**

FOR the purpose of altering the circumstances under which a retail establishment that has a toilet facility for its employees is required to allow certain customers to use the facility; and generally relating to the use of employee toilet facilities by customers of retail establishments.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 24–209  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 556 – Senator Getty**

AN ACT concerning

**Real Property – Restrictions on Use of Property – Separate Parcels**

FOR the purpose of establishing that the grant by a deed of a certain restriction governing two or more separate parcels of land owned by the same grantor does not consolidate the parcels for any other purpose under certain circumstances, unless the deed granting the restriction expressly provides otherwise; establishing that a certain parcel of land subject to a certain restriction may be conveyed separately without the approval of the grantor but shall remain subject to the restriction; and generally relating to restrictions on the use of property for certain purposes.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 2–118  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 557 – Senator Getty**

AN ACT concerning

**Education – Maryland Interscholastic Athletic Association – Establishment**

FOR the purpose of establishing the Maryland Interscholastic Athletic Association in the State Department of Education; providing that the Association is governed by a Board of Directors established under this Act; specifying the purposes of the Association; providing for the membership of the Board; requiring the Governor to consider certain factors in determining whether to appoint an individual to the Board; prohibiting a school district or nonpublic school from having more than one representative serving as a member on the Board; prohibiting certain individuals from being appointed to the Board as public members; providing for the terms of the initial members of the Board and for the terms of the members of the Board thereafter; providing that a member of the Board is deemed to have resigned from the Board under certain circumstances; specifying that a vote of a member appointed in violation of a certain provision of this Act is void; providing certain compensation for a member of the Board; specifying the circumstances under which the Board can take action; requiring the Board annually to elect certain officers; requiring an election to be held at a certain time if there is a vacancy in office; requiring the Board to meet at certain times and places; requiring copies of minutes of certain meetings to be maintained by the Association at the Department; requiring the Board to adopt certain regulations and issue a certain decision within a certain number of days after a certain hearing; authorizing the Board to adopt certain regulations; specifying the duties of the Board; providing for the hiring of staff for the Board; establishing the Secondary Interscholastic Athletic Fund; requiring the Board to decide certain controversies; authorizing a certain party to appeal a certain decision of the Board to the State Board of Education under certain circumstances; requiring the State Board to adopt certain regulations; prohibiting the State Board from reversing a decision made by the Board under certain circumstances; specifying that a certain decision of the State Board is final and not subject to further review; requiring the Board to make a certain record; requiring that the cost of preparing a certain transcript be paid by the person requesting the transcript; specifying the intent of the General Assembly; making a conforming change; defining certain terms; and generally relating to the Maryland Interscholastic Athletic Association.

BY adding to

Article – Education

Section 2–401 through 2–411 to be under the new subtitle “Subtitle 4. Maryland Interscholastic Athletic Association”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 7–433(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 558 – Senator Forehand**

AN ACT concerning

#### **Crimes – Solicitation – Statute of Limitations**

FOR the purpose of providing that the statute of limitations for the crime of solicitation is the statute of limitations for the prosecution of the substantive crime that is the subject of the solicitation; and generally relating to the statute of limitations for the crime of solicitation.

BY adding to

Article – Courts and Judicial Proceedings

Section 5–106(bb)

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 559 – Senators Forehand, Kelley, Madaleno, Manno, and Young**

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; providing for the application of this Act; defining a certain term; and generally relating to prohibitions against tobacco smoking in a motor vehicle.

BY adding to

Article – Transportation

Section 21–1130 and 27–115

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 560 – Senators Forehand, Frosh, Manno, Ramirez, and Stone**

AN ACT concerning

**Vehicle Laws – Title and Registration – Transfer to Surviving Spouse**

FOR the purpose of establishing that when the interest in a vehicle of one joint owner passes by operation of law to another joint owner who is the surviving spouse, the surviving spouse is not required to apply for a new certificate of title or submit a certain certificate of title to the Motor Vehicle Administration until a certain time; authorizing a surviving spouse to drive a certain vehicle and allow the vehicle to be driven on a highway until a certain time without applying for a certain registration if the interest in the vehicle passes to the surviving spouse through joint ownership; prohibiting the Administration, on the death of a joint owner of a vehicle, from charging a fee to another joint owner who is the surviving spouse for the issuance of a new certificate of title for the vehicle; and generally relating to the title and registration of a vehicle transferred to a surviving spouse.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–114, 13–504, 13–801, and 13–802  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–805  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 561 – Senators Forehand, Jacobs, Kelley, King, Montgomery, Ramirez, Raskin, and Stone**

AN ACT concerning

**Family Law – Protective Orders – Additional Relief**

FOR the purpose of authorizing a judge in a final protective order to order the respondent to remain a specified distance away from the residence, place of

employment, school, or temporary residence of a person eligible for relief; and generally relating to protective orders.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–506(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 562 – Senators Forehand, Colburn, Jacobs, Kelley, King, Klausmeier, Manno, Ramirez, and Stone**

AN ACT concerning

**Juvenile Sex Crime Victims’ Rights Act**

FOR the purpose of requiring the Department of Juvenile Services to disclose to a victim or victim’s representative the home address, school, or place of employment of a child respondent on probation under certain circumstances; requiring a certain confinement unit to disclose to a victim or victim’s representative the home address, school, or place of employment of a child respondent under certain circumstances; specifying that certain provisions of law concerning the confidentiality of juvenile records do not prohibit the disclosures authorized by this Act; and generally relating to victims’ rights.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–27  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–507 and 11–508  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 563 – Senators Forehand and Montgomery**

AN ACT concerning

**Vehicle Laws – Seat Belts and Child Safety Seats**

FOR the purpose of altering the standard for the number of seat belts required to be equipped in the front and back seats of certain motor vehicles; altering, and extending the application of, the definition of the term “seat belt”; clarifying the circumstances under which certain restraint devices may be sold; altering certain penalties for violations of certain provisions relating to the use of seat belts and child safety seats; repealing a certain exemption relating to transporting more children in a motor vehicle than the number of available seat belts or child safety seats in the motor vehicle; repealing a certain definition; prohibiting a person from operating a motor vehicle unless each occupant is restrained by a seat belt or a child safety seat; prohibiting a person who is at least a certain age from being a passenger in a motor vehicle unless the person is restrained by a seat belt used in accordance with certain instructions; making stylistic changes; clarifying language; making conforming changes; and generally relating to seat belts and child safety seats.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–113(d–1), 22–412, 22–412.2, 22–412.3, and 27–106(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 564 – Senators Pugh, Benson, Dyson, Ferguson, Forehand, Garagiola, Gladden, Jones–Rodwell, Kasemeyer, Madaleno, Manno, McFadden, Middleton, Montgomery, Muse, Ramirez, Raskin, Stone, and Zirkin**

AN ACT concerning

### **Student Health and Fitness Act**

FOR the purpose of requiring a public school student in elementary school to be provided a certain minimum level of physical education each week; requiring that the program of physical education for a certain category of student be consistent with a certain plan for the student; requiring public elementary schools to designate a certain group to plan and coordinate the physical education program; requiring the State Board of Education to adopt certain regulations; providing for certain extensions; requiring a county school system that receives a certain extension to have a plan to ensure the county school system’s compliance with this Act by a certain date; and generally relating to student health and fitness.

BY renumbering

Article – Education

Section 7–409(b), (c), (d), (e), and (f), respectively

to be Section 7–409(c), (d), (e), (f), and (g), respectively

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 7–205(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–409(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 7–409(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 565 – Senators Raskin, Frosh, Gladden, and Miller**

AN ACT concerning

**Criminal Procedure – Sex Offender Registration Requirements – Kidnapping**

FOR the purpose of altering the offenses for which a person can be required to register on a certain registry; providing for the application of this Act; and generally relating to sex offender registration requirements and the crime of kidnapping.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701(q)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 452 – Senators Middleton, Astle, Glassman, Klausmeier, and Pipkin**

AN ACT concerning

**Other Tobacco Products Licenses – Repeal**

Reassigned to the Committee on Finance and the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 489 – Senator Astle**

AN ACT concerning

**Bail Bondsmen – Qualifications for Licensure – Acceptance of Installment Contracts**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

**SPECIAL ORDERS**

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

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #1  
February 2, 2012

**Appeals, Court of**

1. Robert N. McDonald, Esq. District 42

Judge of the Court of Appeals of Maryland; appointed to serve a term of ten years from January 24, 2012

**Special Appeals, Court of**

2. Stuart R. Berger District 43

Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from January 25, 2012

**Environment, Department of the**

3. Robert M. Summers, Ph.D. District 42  
1800 Washington Blvd.  
Baltimore, MD 21230

Secretary of Department of the Environment; appointed to serve at the pleasure of the Governor

**Human Resources, Department of**

4. Ted Dallas District 46  
7 N. Calvert Street, #1702  
Baltimore, MD 21202

Secretary of Department of Human Resources; appointed to serve at the pleasure of the Governor

**Maryland Insurance Commissioner**

5. Therese M. Goldsmith, Esq. District 12  
203 Hilton Avenue  
Catonsville, MD 21228

Maryland Insurance Commissioner; appointed to serve remainder of a term of four years from June 1, 2011

**State Police, Maryland**

6. Marcus L. Brown District 46  
147 South Linwood Avenue  
Baltimore, MD 21224

Secretary of Maryland State Police; appointed to serve at the pleasure of the Governor

**African American History and Culture, Commission on**

7. Dale G. Green District 43  
1305 Northview Road  
Baltimore, MD 21218

Member of the Commission on African American History and Culture; appointed to serve a term to expire June 30, 2015

8. Michael G. Kent District 27  
1925 Kings Landing Road  
Huntingtown, MD 20639

Member of the Commission on African American History and Culture; appointed to serve a term to expire June 30, 2014

9. Lyndra Levin Marshall District 25  
1600 Fairlakes Place  
Bowie, MD 20721

Member of the Commission on African American History and Culture; appointed to serve a term to expire June 30, 2013

10. Barbara J. Mobarak District 11  
16 Estates Court, Apt. 6104  
Pikesville, MD 21208

Member of the Commission on African American History and Culture; appointed to serve a term to expire June 30, 2013

11. Clara L. Small, Ph.D. District 37  
409-J Moss Hill Lane  
Salisbury, MD 21804

Member of the Commission on African American History and Culture; appointed to serve a term of four years from July 1, 2010

**Agricultural and Resource–Based Industry Development Corporation, Board of Directors of the Maryland**

12. Peter P. Alexander District 38  
900 Sapphire Court  
Salisbury, MD 21804

Member of the Board of Directors of the Maryland Agricultural and Resource–Based Industry Development Corporation; reappointed to serve a term of four years from July 1, 2008

13. James Robert Frazee District 5  
713 Lythe Hill Court  
Westminster, MD 21158

Member of the Board of Directors of the Maryland Agricultural and Resource–Based Industry Development Corporation; reappointed to serve a term of four years from July 1, 2008

14. Howard D. Leathers, Ph.D. District 21  
6915 Carleton Terrace  
College Park, MD 20740

Member of the Board of Directors of the Maryland Agricultural and Resource–Based Industry Development Corporation; reappointed to serve a term of four years from July 1, 2008

15. Douglas Lipton District 14  
316 Kimblewick Drive  
Silver Spring, MD 20904

Member of the Board of Directors of the Maryland Agricultural and Resource–Based Industry Development Corporation; appointed to serve remainder of a term of four years from July 1, 2009

16. Sarah J. O’Herron District 18  
9519 Bruce Drive  
Silver Spring, MD 20901

Member of the Board of Directors of the Maryland Agricultural and Resource–Based Industry Development Corporation; appointed to serve remainder of a term of four years from July 1, 2007 and for a term of four years from July 1, 2011

17. Pamela N. Saul District 14  
3031 Mount Carmel Cemetery Road  
Brookeville, MD 20833

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Development Corporation; appointed to serve remainder of a term of four years from July 1, 2009

### **Appalachian States Low-Level Radioactive Waste Commission**

18. Edward C. Hammerberg District 40  
1477 Roland Heights Avenue  
Baltimore, MD 21211

Member of the Appalachian States Low-Level Radioactive Waste Commission; appointed to serve a term of two years from May 7, 2011

19. Joshua M. Sharfstein, M.D. District 41  
5820 Pimlico Road  
Baltimore, MD 21209

Member of the Appalachian States Low-Level Radioactive Waste Commission; reappointed to serve a term of two years from May 7, 2011

20. Robert M. Summers, Ph.D. District 42  
515 Anneslie Road  
Towson, MD 21212

Member of the Appalachian States Low-Level Radioactive Waste Commission; appointed to serve a term of two years from May 7, 2011

### **Apprenticeship and Training Council**

21. Edwin A. Cluster, Jr. District 5  
19801 Valley Mill Road  
Freeland, MD 21053

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2009

22. Larry R. Greenhill, Sr. District 25  
7903 Hastings Lane  
Clinton, MD 20735

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2011

**Architects, State Board of**

23. Paul D. Edmeades District 35  
1418 Saratoga Drive  
Bel Air, MD 21014

Member of the State Board of Architects; reappointed to serve a term of five years from July 1, 2011

**Automobile Insurance Fund, Board of Trustees of the Maryland**

24. Timothy J. Murphy, Esq. District 28  
108 La Grange Avenue  
La Plata, MD 20646

Member of the Board of Trustees of the Maryland Automobile Insurance Fund; appointed to serve at the pleasure of the Governor

**Boiler Rules, Board of**

25. Carey Dove District 9  
1040 Old Woodbine Road  
Woodbine, MD 21792

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2012

**Canal Place Preservation and Development Authority**

26. Mark L. Widmyer District 1  
12413 Butler Drive  
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve a term of four years from June 1, 2011

**Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the**

27. Gerald W. Clark District 29  
12195 Preston Dr.  
Lusby, MD 20657

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2011

28. James R. Gesl, D.D.S. District 28  
11230 Keeokee Court  
Swan Point, MD 20645

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; appointed to serve a term of four years from July 1, 2011

**Chiropractic and Massage Therapy Examiners, State Board of**

29. David A. Cox District 19  
12502 Plaza Place  
Rockville, MD 20853

Member of the State Board of Chiropractic and Massage Therapy Examiners; appointed to serve a term of four years from July 1, 2011

**Civil Rights, Commission on**

30. Robert L. Baum, Esq. District 16  
6308 Marywood Road  
Bethesda, MD 20817

Member of the Commission on Civil Rights; appointed to serve remainder of a term of six years from July 1, 2009

31. Binyamin Y. Marwick District 42  
2503 Farington Road  
Baltimore, MD 21209

Member of the Commission on Civil Rights; appointed to serve a term of six years from July 1, 2011

32. Gina McKnight Smith, Pharm.D. District 10  
8706 Winands Road  
Randallstown, MD 21133

Member of the Commission on Civil Rights; appointed to serve remainder of a term of six years from July 1, 2009

**Handgun Permit Review Board**

33. Rolinda S. Collinson District 27  
P.O. Box 53  
Friendship, MD 20758

Member of the Handgun Permit Review Board; reappointed to serve a term of three years from March 27, 2011

34. W. Roland Knapp District 8  
8504 Woodfall Road  
Nottingham, MD 21236

Member of the Handgun Permit Review Board; appointed to serve a term of three years from March 27, 2011

35. Charles Louis Washington District 27  
10711 Mattaponi Road  
Upper Marlboro, MD 20772

Member of the Handgun Permit Review Board; reappointed to serve a term of three years from March 27, 2011

**Stadium Authority, Maryland**

36. Joseph C. Bryce, Esq. District 33  
802 Vacation Drive  
Odenton, MD 21113

Member of the Maryland Stadium Authority; appointed to serve a term of four years from July 1, 2011

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**African American History and Culture, Commission on**

- S-1. Cheryl J. LaRoche District 16  
5333 Strathmore Avenue  
Kensington, MD 20895

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2011

- S-2. Theodore H. Mack District 33  
619 Woodsmans Way  
Crownsville, MD 21032

Member of the Commission on African American History and Culture; reappointed to serve a term of four years from July 1, 2011

**Agricultural and Resource-Based Industry Development Corporation, Board of Directors of the Maryland**

- S-3. Phyllis E. Kilby District 37  
795 Firetower Road  
Colora, MD 21917

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Development Corporation; reappointed to serve a term of four years from July 1, 2011

- S-4. Faith Elliott Rossing District 36  
3601 Goldsboro Road  
Henderson, MD 21640

Member of the Board of Directors of the Maryland Agricultural and Resource-Based Industry Development Corporation; reappointed to serve a term of four years from July 1, 2011

**Appalachian States Low-Level Radioactive Waste Commission**

- S-5. Clifford Seth Mitchell, M.D. District 41  
5705 Woodcrest Avenue  
Baltimore, MD 21215

Member of the Appalachian States Low-Level Radioactive Waste Commission; reappointed to serve a term of two years from May 7, 2011

**Apprenticeship and Training Council**

- S-6. Michelle L. Butt District 9  
11464 Old Frederick Road  
Marriottsville, MD 21104

Member of the Apprenticeship and Training Council; reappointed to serve a term of four years from July 1, 2011

**Arts Council, Maryland State**

- S-7. Nilimma S. Devi District 18  
1524 Forest Glen Road  
Silver Spring, MD 20910

Member of the Maryland State Arts Council; reappointed to serve a term of three years from July 1, 2011

- S-8. Susanna Nemes, Ph.D. District 19  
18303 Wickham Road  
Olney, MD 20832

Member of the Maryland State Arts Council; reappointed to serve a term of three years from July 1, 2011

**Assistive Technology Loan Program Board of Directors**

- S-9. Lawrence N. Adams District 34  
712 Teal Court  
Havre de Grace, MD 21078

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

- S-10. Ethelette W. Ennis District 6  
4017 St. Monica Drive  
Baltimore, MD 21222

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

- S-11. Joshua L. Friedman, Esq. District 41  
3022 Temple Gate Road  
Baltimore, MD 21209

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

- S-12. Mollyne Honor District 40  
3707 Beech Avenue  
Baltimore, MD 21211

Member of the Assistive Technology Loan Program Board of Directors; reappointed to serve a term of four years from October 1, 2011

S-13. Regina V. Lee-Byrd District 22  
7825 Mandan Road #104  
Greenbelt, MD 20770

Member of the Assistive Technology Loan Program Board of Directors;  
reappointed to serve a term of four years from October 1, 2011

S-14. Sue C. Lin District 18  
2114 Darcy Green Place  
Silver Spring, MD 20910

Member of the Assistive Technology Loan Program Board of Directors;  
reappointed to serve a term of four years from October 1, 2011

S-15. Margaret L.M. Maxberry District 20  
8101 Eastern Avenue, #413  
Silver Spring, MD 20910

Member of the Assistive Technology Loan Program Board of Directors;  
reappointed to serve a term of four years from October 1, 2011

### **Boiler Rules, Board of**

S-16. Leonard Billian District 42  
P.O. Box 1387  
Brooklandville, MD 21022

Member of the Board of Boiler Rules; reappointed to serve a term of four years  
from January 1, 2012

### **Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the**

S-17. Laurie R. Feinberg District 43  
3411 University Place  
Baltimore, MD 21218

Member of the Critical Area Commission for the Chesapeake and Atlantic  
Coastal Bays; reappointed to serve a term of four years from July 1, 2011

**Clean Energy Center, Board of Directors for Maryland**

S-18. Eric D. Wachsman  
9469 Lovat Road  
Fulton, MD 20759

District 13

Member of the Board of Directors for the Maryland Clean Energy Center; reappointed to serve a term of four years from July 1, 2011

**Local Nominees**

**Please Note:** Local Nominees are not required to appear before the Senate Executive Nominations Committee.

**Allegany County Board of Elections**

L-1. Richard Lee DeVore, Jr.  
10325 Mason Dixon View, NW, P.O. Box 45  
Ellerslie, MD 21502

District 1

Member of the Allegany County Board of Elections; appointed to serve a term of four years from June 6, 2011

L-2. John T. Stakem  
167 West Main Street  
Frostburg, MD 21532

District 1

Member of the Allegany County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

**Baltimore City Board of Elections**

L-3. Cory McCray  
6908 Brook Avenue  
Baltimore, MD 21206

District 45

Member of the Baltimore City Board of Elections; appointed to serve a term of four years from June 6, 2011

L-4. Frankie L. Powell  
5123 Queensberry Avenue  
Baltimore, MD 21215

District 41

Member of the Baltimore City Board of Elections; appointed to serve a term of four years from June 6, 2011

**Caroline County Board of Elections**

- L-5. Warner G. Johnson District 37  
27320 Chipman Lane  
Federalsburg, MD 21632

Member of the Caroline County Board of Elections; appointed to serve a term of four years from June 6, 2011

- L-6. Greta H. Scanlan District 36  
24561 Mill Creek Lane  
Denton, MD 21629

Member of the Caroline County Board of Elections; appointed to serve a term of four years from June 6, 2011

**Charles County Board of Elections**

- L-7. Katherine M. O'Malley-Simpson District 28  
8305 Clamber Hill Place, P.O. Box 163  
Port Tobacco, MD 20677

Member of the Charles County Board of Elections; appointed to serve a term of four years from June 6, 2011

- L-8. Norman J. Saunders, Sr. District 28  
11955 Woodbury Road  
Nanjemoy, MD 20662

Member of the Charles County Board of Elections; appointed to serve a term of four years from June 6, 2011

**Frederick County Board of Elections**

- L-9. Raymond E. Bentz District 3  
125 Cody Drive, #33  
Thurmont, MD 21788

Member of the Frederick County Board of Elections; appointed to serve a term of four years from June 6, 2011

- L–10. Earlene Hairstone Thornton, Ed.D. District 3  
5303 Hines Road  
Frederick, MD 21704

Member of the Frederick County Board of Elections; appointed to serve a term of four years from June 6, 2011

### **Harford County Board of Elections**

- L–11. Kevin K. Keene, Esq. District 35  
1111 Glastonbury Way  
Bel Air, MD 21014

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 6, 2011

- L–12. Benjamin D. Riley District 34  
2120 Old Edgewood Road  
Edgewood, MD 21040

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 6, 2011

- L–13. Maria A. Terry District 34  
333 Oak Street  
Aberdeen, MD 21001

Member of the Harford County Board of Elections; appointed to serve a term of four years from June 6, 2011

### **Montgomery County Board of Elections**

- L–14. David Naimon, Esq. District 16  
7017 Wolfree Lane  
Rockville, MD 20852

Member of the Montgomery County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

- L–15. Jacqueline L. Phillips District 18  
7900 Glendale Road  
Chevy Chase, MD 20815

Member of the Montgomery County Board of Elections; appointed to serve a term of four years from June 6, 2011

**Somerset County Board of Elections**

L-16. Emily B. Ent District 38  
11378 Hayman Drive  
Princess Anne, MD 21853

Member of the Somerset County Board of Elections; reappointed to serve a term of four years from June 6, 2011

L-17. Jackie Lee Mills District 38  
5099 Annemessex Road  
Crisfield, MD 21817

Member of the Somerset County Board of Elections; appointed to serve a term of four years from June 6, 2011

**Washington County Board of Elections**

L-18. Tammy E. Downin District 2  
20103 Daniel's Circle  
Hagerstown, MD 21742

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 6, 2011

L-19. Carroll H. Earp District 2  
20315 Ayoub Lane  
Hagerstown, MD 21742

Member of the Washington County Board of Elections; appointed to serve a term of four years from June 6, 2011

L-20. Bruce F. Field District 2  
11101 Dolores Court  
Hagerstown, MD 21742

Member of the Washington County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

**Wicomico County Board of Elections**

L-21. Phillip J. Doyle  
513 S. Pinehurst Avenue  
Salisbury, MD 21801

District 38

Member of the Wicomico County Board of Elections; appointed to serve remainder of a term of four years from June 6, 2011

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nominations of the Executive?”

With the exception of Nominee No. 6 – Marcus L. Brown – Secretary of Maryland State Police, the above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 110)

Senator Benson moved, duly seconded, to Special Order Nominee No. 6 – Marcus L. Brown – Secretary of Maryland State Police, until February 10, 2012.

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 111)

**RECESS**

At 11:31 A.M. on motion of Senator Garagiola, seconded, the Senate recessed until 8:00 P.M. on Monday, February 6, 2012.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: February 3, 2012**  
**Calendar Day: Monday, February 6, 2012**

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At 8:01 P.M. the Senate resumed its session.

Prayer by: Reverend Rebecca Iannicelli, Community United Methodist Church, guest of Senator Reilly.

**QUORUM CALL**

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

(See Roll Call No. 113)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 196 – Senator David R. Brinkley:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Middletown High School Football Team  
in recognition of  
your winning the Maryland Class 2A Championship.  
We applaud your outstanding season and wish  
you many more. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 114)

**Senate Resolution No. 173 – Senator Joseph M. Getty:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to

The Manchester Valley High School Girls Soccer Team  
in recognition of  
your winning the 2011 Class A State Girls Soccer Championship. We applaud your  
outstanding season and wish you many, many more. Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 115)

**Senate Resolution No. 204 – Senator Rob Garagiola:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Maureen Martin  
in recognition of  
her role in representing the State of Maryland as the  
2011 Cherry Blossom Princess. We commend  
your educational and cultural leadership.

Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 116)

**Senate Resolution No. 203 – Senator Rob Garagiola:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Taylor Barfield  
in recognition of  
her role in representing the State of Maryland as the  
2012 Cherry Blossom Princess. We commend  
your educational and cultural leadership.

Congratulations!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 117)

**Senate Resolution No. 195 – Senator David R. Brinkley:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Middletown High School Girls Soccer Team  
in recognition of  
your winning the Maryland Class 2A Championship.  
We applaud your outstanding season and wish  
you many more. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 118)

**INTRODUCTION OF BILLS**

**Senate Bill 566 – Senators King, Benson, Colburn, Ferguson, Forehand,  
Garagiola, Kelley, Klausmeier, Madaleno, Manno, McFadden,  
Montgomery, Muse, Pugh, Ramirez, and Young**

AN ACT concerning

**Home Visiting Accountability Act of 2012**

FOR the purpose of requiring the State to fund only certain home visiting programs for improving parent and child outcomes, as provided in the State budget; requiring that not less than a certain percentage of State funding for home visiting programs be made available to evidence-based home visiting programs; requiring certain home visiting programs to submit regular reports; specifying the contents of the reports to be submitted by certain home visiting programs; requiring the development of reporting and monitoring procedures for certain home visiting programs by the Governor's Office for Children and the agencies of the Children's Cabinet; requiring the Governor's Office for Children and the agencies of the Children's Cabinet to report on the implementation and outcomes of certain home visiting programs to the Governor and certain committees of the General Assembly on or before a certain date; defining certain terms; and generally relating to home visiting programs.

BY renumbering

Article – Human Services  
Section 8–506  
to be Section 8–508  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 8–101  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

BY adding to  
Article – Human Services  
Section 8–506 and 8–507  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

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

**Senate Bill 567 – Senators King, Colburn, Currie, Garagiola, Glassman,  
Jennings, Manno, McFadden, and Robey**

AN ACT concerning

**Telecommunications Taxes – Reform Commission and Moratorium**

FOR the purpose of establishing the Telecommunications Tax Reform Commission; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to assess the feasibility and fiscal implications of a competitively neutral telecommunications tax and fee system that eliminates the disparate treatment of similar telecommunications service providers; requiring the Commission to examine certain taxes and fees in conducting its assessment; requiring the Comptroller and the State Department of Assessments and Taxation to collect data from the State, local governments, and telecommunications service providers concerning revenue collected from current telecommunications taxes and fees; requiring that the data collected be provided to the Commission by a certain date; prohibiting certain data collected from telecommunications service providers from being publicly disclosed unless it is aggregated in a certain manner; requiring a State or local government agency or a telecommunications service provider to cooperate reasonably with data collection efforts under this Act; authorizing the Comptroller or the State Department of Assessments and Taxation to subpoena a State or local government agency or a telecommunications service provider that fails to cooperate reasonably with data collection under this Act; authorizing a petition to a circuit court to compel

compliance with a subpoena; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; prohibiting the State or a county government from imposing a tax or fee on a telecommunications service that is not in effect on a certain date during a certain period; prohibiting the State or a county government from increasing a tax or fee on a telecommunications service above the amount in effect on a certain date during a certain period; defining a certain term; providing for the termination of this Act; and generally relating to the Telecommunications Tax Reform Commission.

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

**Senate Bill 568 – Senator King**

AN ACT concerning

**Correctional Services – Limitation on Total Number of Diminution Credits –  
Single Sentence for Crime of Violence**

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; 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 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–704  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 569 – Senator King**

AN ACT concerning

**Correctional Services – Limitation on Total Number of Diminution Credits –  
Violent Offenders and Sexual Offenders**

FOR the purpose of 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 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–708  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 570 – Senators King, Brinkley, Colburn, Currie, Garagiola, Jones–Rodwell, Madaleno, Manno, McFadden, Peters, Pugh, and Young**

AN ACT concerning

**Income Tax Credit – Qualified Research and Development Expenses – Small Business Refund**

FOR the purpose of defining “small business” as it relates to a certain refund in connection with a certain credit against the State income tax for certain research and development expenses incurred by an individual or corporation; altering the total amount of research and development credits that the Department of Business and Economic Development may approve in a calendar year; providing that certain unused credits by a small business may be claimed as a refund; providing for the application of this Act; and generally relating to certain credits against the State income tax based on certain expenses paid or incurred for certain research and development conducted in the State.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–721  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 571 – Senators Montgomery, Forehand, Manno, Ramirez, Raskin, and Rosapepe**

AN ACT concerning

**Libraries – Maryland Deaf Culture Digital Library**

FOR the purpose of requiring the Division of Library Development and Services in the State Department of Education to establish and coordinate the Maryland Deaf Culture Digital Library; requiring the Division to coordinate with the Governor's Office of the Deaf and Hard of Hearing in establishing the digital library; specifying a certain purpose and content of the digital library; and generally relating to the establishment of the Maryland Deaf Culture Digital Library.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 23–105  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 572 – Senator Rosapepe**

AN ACT concerning

**State Government – Commemorative Days – Crime Victims and Advocates**

FOR the purpose of requiring the Governor annually to proclaim a certain day in April as Crime Victim and Advocate Commemorative Day to honor certain crime victims and advocates in the State; requiring the Governor annually to take certain steps to publicize Crime Victim and Advocate Commemorative Day; and generally relating to the commemoration of crime victims and the advocates who serve those victims.

BY adding to  
Article – State Government  
Section 13–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 573 – Senator Kittleman**

AN ACT concerning

**Senatorial and Delegate Scholarships – Posting of Award Recipients**

FOR the purpose of requiring the Office of Student Financial Assistance in the Maryland Higher Education Commission to post on its Web site and to make available a list of names and addresses of recipients of Senatorial and Delegate scholarships and certain information relating to the legislators who made the scholarship award; and generally relating to the dissemination of information regarding recipients of Senatorial and Delegate scholarships.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–407  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 18–503.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 574 – Chair, Anne Arundel County Senators**

AN ACT concerning

#### **Recordation Tax – Public Utilities – Indemnity Mortgages**

FOR the purpose of providing that, except under certain circumstances, secured debt with respect to certain instruments of writing that secure a guarantee of repayment of a loan is deemed for purposes of the recordation tax to be incurred when and to the same extent as debt is incurred on the guaranteed loan and the recordation tax applies with respect to certain instruments of writing in a certain manner; defining certain terms; and generally relating to the treatment of certain indemnity mortgages on certain public utility property under the recordation tax.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 12–105(f)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 575 – Senator Astle**

AN ACT concerning

**Maryland Medical Assistance Program – Subrogation – Reduction**

FOR the purpose of requiring under certain circumstances that the amount for which the Department of Health and Mental Hygiene has a right of subrogation for health care benefits or services paid or payable on behalf of a Maryland Medical Assistance Program recipient be reduced by a certain amount related to the amount of certain attorney's fees incurred by the Program recipient; specifying that the amount for which the Department has a right of subrogation may not be reduced beyond a certain percentage; repealing a certain provision of law granting certain immunity to the Department; repealing a certain provision of law relating to a deduction of certain fees and certain costs from certain money received by a Program recipient; authorizing the Department to compromise or settle and release certain subrogation claims under certain circumstances; and generally relating to the Maryland Medical Assistance Program and subrogation claims.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–120  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 576 – Senator Astle**

AN ACT concerning

**Anne Arundel County – Alcoholic Beverages – Video Lottery Facility – Hours  
for Sale and Consumption**

FOR the purpose of altering the hours for the sale and consumption of alcoholic beverages at a video lottery facility in Anne Arundel County to match the hours of operation for a video lottery facility; prohibiting the holder of an entertainment facility license or an entertainment concessionaire license, or an employee of the license holder from knowingly allowing a person to consume alcoholic beverages on the licensed premises of a video lottery facility except during the hours of operation of the facility established by law; and generally relating to the hours for the sale and consumption of alcoholic beverages at a video lottery facility in Anne Arundel County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 8–202(a), 11–304(a)(1), and 11–502(a)

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–202(k) and 11–304(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 11–502(j)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–23(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 577 – Senator Reilly**

AN ACT concerning

#### **State Traumatic Brain Injury Trust Fund**

FOR the purpose of establishing the State Traumatic Brain Injury Trust Fund as a special fund to be used to support certain services for certain individuals with traumatic brain injuries; requiring the Director of the Developmental Disabilities Administration or the Director’s designee to administer the Fund; requiring the Director or the Director’s designee to report to the Governor and the General Assembly on or before a certain date each year; establishing eligibility for individuals to receive assistance from the Fund; defining certain terms; and generally relating to the establishment of the State Traumatic Brain Injury Trust Fund.

BY adding to  
Article – Health – General  
Section 13–21A–01 through 13–21A–03 to be under the new subtitle “Subtitle 21A. State Traumatic Brain Injury Trust Fund”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 578 – Senator Reilly**

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 \$600,000, 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 Budget and Taxation.

**Senate Bill 579 – Senators Glassman, Brinkley, Colburn, Jacobs, Kelley, Middleton, Montgomery, Robey, and Rosapepe**

AN ACT concerning

**Alcoholic Beverages – Farm Brewery Manufacturer’s License**

FOR the purpose of creating a Class 8 farm brewery manufacturer’s license; specifying a certain annual fee for the license; authorizing a licensee to sell and deliver beer manufactured in a facility on the licensed farm or in another facility to certain persons; requiring that the beer be manufactured in a certain manner; requiring that a farm brewery be located only at the place stated on the license; providing that a licensee may exercise the privileges of the license, notwithstanding local law; specifying the privileges that may be exercised by a licensee, including providing samples of beer, selling certain foods, storing beer, brewing beer, bottling beer, or contracting for a certain number of barrels of beer each calendar year; specifying the times during which a licensee may exercise the privileges of the license; specifying the days of operation for a licensee; specifying that certain provisions of law apply to a licensee; authorizing a licensee to sponsor a certain multibrewery activity at the licensed farm under certain conditions; specifying the privileges that a licensee may exercise at a multibrewery activity and the times that the activity may be held; authorizing the Office of the Comptroller to issue a special brewery promotional event permit to a licensee under certain conditions; specifying the privileges that may be exercised by the licensee at the special brewery promotional event; requiring that the beer at the special brewery promotional event be sold by the

glass and for consumption on the premises only; and generally relating to Class 8 farm brewery licenses.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–201(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 2–209  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 580 – Senators Peters, Conway, Currie, Ferguson, Garagiola, King, Manno, McFadden, Muse, Pugh, Ramirez, Raskin, and Robey**

AN ACT concerning

**Income Tax – Subtraction Modification – Mortgage Forgiveness Debt Relief**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for income from the discharge of certain indebtedness related to certain costs incurred with respect to a principal residence; providing that the amount of the subtraction may not exceed a certain amount for certain taxpayers; providing for an addition modification if a property is sold or exchanged under certain circumstances; providing for the application and termination of this Act; and generally relating to an income tax subtraction modification for income from the discharge of certain indebtedness.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–205(a) and 10–208(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–205(k) and 10–208(r)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 581 – Senators Stone, Brochin, Klausmeier, and Zirkin**

AN ACT concerning

**Maryland Historical Trust – Historic Property Designation – Essex Skypark**

FOR the purpose of requiring that, on or before a certain date, the Maryland Historical Trust designate a certain property as a historic property under a certain provision of law; and generally relating to the Maryland Historical Trust.

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

**Senate Bill 582 – Senator Simonaire**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Cisco Center**

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 Cisco 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 Budget and Taxation.

**Senate Bill 583 – Senator Simonaire**

AN ACT concerning

**Health – Medical Procedures – Ultrasound Options**

FOR the purpose of requiring certain physicians, under certain circumstances, to provide a certain pregnant woman the opportunity to view a certain ultrasound image before the performance or inducement of a certain medical procedure; requiring a physician to allow a certain pregnant woman to view a certain ultrasound image at no additional charge; and generally relating to ultrasound options for medical procedures.

BY adding to

Article – Health – General  
Section 20–210

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 584 – Senator McFadden**

AN ACT concerning

**Inmates – Life Imprisonment – Parole Approval – Act Committed While a  
Minor**

FOR the purpose of providing that a person or inmate who is eligible for parole and is serving a sentence of life imprisonment based on the person's conviction of an act committed while a minor may be paroled without the approval of the Governor; 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 2011 Supplement)

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

**Senate Bill 585 – Senator Edwards**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Special Class C Beer, Wine and  
Liquor License**

FOR the purpose of authorizing in Garrett County the holder of a special Class C beer, wine and liquor license to purchase beer and light wine from a wholesale dealer; and generally relating to alcoholic beverages in Garrett County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 7–101(d)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 586 – Senator Edwards**

AN ACT concerning

**Education – State Aid – Grant to Limit Decreases in Funding**

FOR the purpose of requiring the State to provide a certain grant to a county board of education in certain fiscal years if certain funding provided to a county board decreases by a certain amount; requiring a certain study to include a certain impact; and generally relating to State aid for education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 587 – Senator Edwards**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Nudity and Sexual Displays –  
License Revocation**

FOR the purpose of authorizing the Board of License Commissioners in Garrett County to determine whether to revoke the alcoholic beverages license of a licensee if any of certain activities regarding nudity or sexual displays are found to have occurred on the premises or location for which the license was issued; making a stylistic change; and generally relating to alcoholic beverages licenses in Garrett County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10–405  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 588 – Senator Edwards**

AN ACT concerning

**Bow Hunting – Possession of Handguns for Protection**

FOR the purpose of prohibiting the Department of Natural Resources from restricting certain licensed bow hunters from carrying a handgun under certain circumstances; defining a certain term; making stylistic changes; and generally relating to the use of weapons while hunting wildlife.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–408  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 589 – Senator Edwards**

AN ACT concerning

#### **Sales and Use Tax – Mass Transit**

FOR the purpose of increasing the sales and use tax rate by a certain amount in certain counties; altering the percentage of gross receipts from vending machine sales to which the sales and use tax rate applies in certain counties; creating the Mass Transit Account in the Transportation Trust Fund to pay the cost of light rail and subway transit facilities and transit service operated by the Maryland Transit Administration in certain counties; requiring that revenue from the increase in the sales and use tax rate under this Act be credited to the Mass Transit Account; prohibiting the Department of Transportation from budgeting more than a certain amount of certain funds in the Transportation Trust Fund to pay certain transit costs; authorizing the Department to budget funds in the Transportation Trust Fund to pay certain transit costs in excess of a certain amount only if the excess amount is paid from the Mass Transit Account; repealing certain obsolete provisions; defining a certain term; and generally relating to increasing the sales and use tax rate in certain counties and dedicating the revenue to mass transit in certain counties.

BY adding to  
Article – Tax – General  
Section 2–1302.2 and 11–104(a–1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1303, 11–104(b), (d), and (f)(2), and 11–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 11–104(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 3–216(c)(2)(i) and (d)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Transportation  
Section 3–216(d)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 3–216(d)(3) and 7–309  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 590 – Senators Stone, DeGrange, Dyson, Glassman, and Peters**

AN ACT concerning

**Maryland Health Benefit Exchange – Abortion Coverage – Prohibition**

FOR the purpose of prohibiting a health benefit plan certified by the Maryland Health Benefit Exchange as a qualified health plan from providing coverage for an abortion; establishing a certain exception; and generally relating to qualified health plans offered through the Maryland Health Benefit Exchange.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 31–102(a) and 31–109(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Insurance  
Section 31–109(h)

Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 591 – Senator Stone**

AN ACT concerning

**Real Property – Manufactured Homes – Conversion to and Severance from  
Real Property**

FOR the purpose of providing for the conversion of a manufactured home to real property under certain circumstances; requiring a certain affidavit of conversion to contain certain information and statements; requiring an affidavit of conversion to be recorded under certain circumstances; providing that a recorded affidavit of conversion has no legal effect under certain circumstances; requiring the owner of a manufactured home that is or will be severed from real property to file an affidavit of severance under certain circumstances; requiring an affidavit of severance to contain certain information and statements; requiring an affidavit of severance to be recorded under certain circumstances; defining certain terms; and generally relating to manufactured homes and the conversion to and severance from real property.

BY adding to

Article – Real Property

Section 8B–101 through 8B–302 to be under the new title “Title 8B.  
Manufactured Homes”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 592 – Senator Pinsky**

AN ACT concerning

**State Government – Public Information Act – Public Institutions of Higher  
Education – Permissible Denials**

FOR the purpose of authorizing a custodian of a public record to deny inspection under the Public Information Act of a public record that is produced or collected by a faculty member of a public institution of higher education under certain circumstances; and generally relating to the application of the Public Information Act to public institutions of higher education.

BY repealing and reenacting, with amendments,

Article – State Government  
Section 10–618(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 593 – Senator Pinsky**

AN ACT concerning

**Medical Assistance Program – Health Care for Mothers, Children, Seniors,  
and Individuals with Disabilities – Pilot Program**

FOR the purpose of establishing a certain pilot program to enhance Maryland Medical Assistance Program services; requiring the Secretary of Health and Mental Hygiene to administer the pilot program; requiring the pilot program to provide certain services to a certain number of individuals; requiring the pilot program to include the development of a certain system, certain care coordination and programs, a network of certain practitioners and hospitals, and the development of a certain training institute; requiring the pilot program to achieve certain results within a certain time period; requiring the Department to provide certain funding, if available, and to apply for a certain demonstration or waiver and for certain grants, if necessary; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; defining a certain term; providing for the termination of this Act; and generally relating to a pilot program to provide health care to mothers, children, seniors, and individuals with disabilities in the Maryland Medical Assistance Program.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 15–101(a) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 15–147  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 594 – Senators Pinsky and Frosh**

AN ACT concerning

**Agriculture – Nutrient Management – Application of Nutrients**

FOR the purpose of prohibiting a person from applying animal manure or biosolids to agricultural land during a certain time of the year; authorizing a person to apply animal manure or biosolids during a certain time of the year under a certain circumstance; requiring animal manure or biosolids to be applied to agricultural land in a certain manner during a certain time of the year; prohibiting a person from applying certain fertilizer to agricultural land on or after a certain date; prohibiting the Department of Agriculture from authorizing the application of animal manure or biosolids to agricultural land during a certain time of the year even under a certain circumstance; providing for the application of this Act; defining a certain term; and generally relating to the application of certain nutrients to agricultural land.

BY adding to

Article – Agriculture

Section 8–803.10

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 595 – Senators Pinsky and Rosapepe**

AN ACT concerning

**Electricity – Community Energy–Generating Facilities and Net Energy Metering**

FOR the purpose of establishing a net energy metering program for community energy–generating facilities; specifying that a community energy–generating facility, subscriber, or subscriber organization is not an electric company or an electricity supplier; requiring electric companies to purchase certain unsubscribed electricity; requiring the Public Service Commission to set a date for the end of a certain billing cycle; giving certain electric companies ownership of certain electricity exported by the community energy–generating facility to the grid; stating that certain costs are the responsibility of the owner or operator of the community energy–generating facility; authorizing subscriber organizations to contract with third parties for certain functions; authorizing certain for–profit and nonprofit entities to be subscription organizations; specifying that owners, subscribers, and organizations that control community energy–generating facilities are not public service companies under certain circumstances; requiring the Commission to report each year to the General Assembly on the status of certain community energy–generating facilities;

specifying that an electric company may not be responsible for resolving certain disputes; specifying that an electric company may not be liable for certain actions taken or agreements entered into by a subscription organization; requiring that the Commission adopt certain regulations for community energy-generating facilities; requiring the Commission to consider certain matters when adopting certain regulations; defining certain terms; making conforming changes; and generally relating to community energy-generation and net energy metering.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 1-101(h) and (j) and 7-306  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 596 – Senator Robey**

AN ACT concerning

#### **Vehicle Laws – Distracted Driving – Animals**

FOR the purpose of prohibiting a person from driving a vehicle if there is an animal or animal activity in the front seat of the vehicle that obstructs the view of the driver in a certain manner or interferes with the control of the driver over the driving mechanism of the vehicle; and generally relating to distracted driving caused by an animal or animal activity.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21-1104  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 597 – Senator McFadden**

AN ACT concerning

#### **Elections – Baltimore City – Election Dates**

FOR the purpose of altering the dates of certain elections for municipal offices in Baltimore City; specifying the terms of municipal officers in Baltimore City who are elected in certain years; and generally relating to elections in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 8–201 and 8–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 598 – Senator Young**

AN ACT concerning

**Health Occupations – Licensed Podiatrists – Scope of Practice**

FOR the purpose of altering the definition of “practice podiatry” to include the surgical treatment of acute ankle fracture in the scope of practice of licensed podiatrists; and generally relating to licensed podiatrists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 16–101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 599 – Senators Young, Ferguson, Garagiola, Glassman, Kelley, King, Ramirez, Reilly, and Shank**

AN ACT concerning

**Political Subdivisions – Legal Notice Requirements – Posting on Web Sites**

FOR the purpose of authorizing a county or municipality to satisfy a requirement to publish legal notices in a newspaper of general circulation by posting the notices on its Web site; requiring notices posted on a county or municipality Web site to be displayed conspicuously and be easily accessible; requiring a county or municipality that chooses to post notices on the Internet to publish certain advance 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 provide paper copies of notices posted to the county’s or municipality’s Web site; providing that the mail subscription shall be valid for a certain period of time and may be renewed; requiring a county or municipality to provide information about the mail service on its Web site and in certain notices; requiring a county or municipality to maintain paper

copies of notices posted on its Web site and to make the copies available to the public; requiring a county or municipality to maintain an affidavit stating certain information about the posting of a notice on its Web site; providing that the affidavit is not required to be notarized; providing that certain taxing authorities may meet certain notice requirements relating to real property tax rates by providing certain information to the State Department of Assessments and Taxation regarding the taxing authority's Web site and by posting certain information on the Web site; and generally relating to publication of legal notices by counties and municipalities.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 1–112  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 6–308(b)(2) and (c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 600 – Senators Young, Montgomery, and Ramirez**

AN ACT concerning

**Business Regulation – Independent Contractor Registry – Presumptions  
Under Workplace Fraud Act**

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to develop and maintain an Independent Contractor Registry; authorizing an individual who performs work as an independent contractor in certain industries to register with the Registry; requiring the Department, in consultation with the Commissioner of Labor and Industry, to adopt certain regulations; establishing that work performed by an individual registered with the Registry is not presumed to create an employer–employee relationship for the purposes of certain provisions related to workplace fraud; requiring the Commissioner to consider, as strong evidence that an employer did not knowingly fail to properly classify an individual, whether the employer sought and obtained evidence that the individual is an independent contractor registered with the Registry; defining certain terms; and generally relating to independent contractors and workplace fraud.

BY adding to

Article – Business Regulation

Section 19–701 through 19–703 to be under the new subtitle “Subtitle 7.  
Independent Contractor Registry”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 3–901(b) and (f)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–903 and 3–904

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 601 – Senator Gladden**

AN ACT concerning

#### **Public Institutions of Higher Education – Waiver of Tuition – Individual Exonerated After Wrongful Conviction**

FOR the purpose of exempting a certain resident of the State who was exonerated by a court following a wrongful conviction for a crime by a court in the State from paying tuition at a public institution of higher education under certain circumstances; prohibiting a certain individual from being required to pay the difference between the amount of a certain scholarship or grant and the amount of tuition under certain circumstances; providing that a certain individual who is exempt from tuition continues to be exempt for a certain period of time; defining a certain term; and generally relating to a waiver of tuition at public institutions of higher education for an individual exonerated after wrongful conviction.

BY adding to

Article – Education

Section 15–106.9

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 602 – Senator Dyson**

AN ACT concerning

**Public Safety – Building Performance Standards – Fire and Life Safety**

FOR the purpose of prohibiting a local jurisdiction from adopting local amendments to the Maryland Building Performance Standards if the local amendments weaken fire and life safety provisions contained in the Standards; 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 authority of local jurisdictions to amend the Maryland Building Performance Standards.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–504  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–504  
Annotated Code of Maryland  
(2011 Replacement Volume)  
(As enacted by Chapter 369 of the Acts of the General Assembly of 2011)

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

**Senate Bill 603 – Senators Montgomery and Conway**

AN ACT concerning

**Health Care Practitioners – Licensed Dentists, Physicians, and Podiatrists – Personally Preparing and Dispensing Prescription Drugs and Devices**

FOR the purpose of requiring certain dentists, physicians, and podiatrists to comply with certain dispensing, labeling, inspection, packaging, recall procedure, record keeping, purchase, verification, reporting, and continuing education requirements as a condition of being allowed to personally prepare and dispense prescription drugs or devices; requiring the State Board of Pharmacy, the State Board of Dental Examiners, the State Board of Physicians, and the State Board of Podiatric Medical Examiners to report certain information to the Division of Drug Control on an annual basis; requiring the Division of Drug Control to enter and inspect certain offices during certain time periods; requiring the Division of Drug Control to report the results of these inspections to certain licensing boards; providing for a certain phase-in of a certain continuing

education requirement; and generally relating to the personal preparation and dispensing of prescription drugs or devices by dentists, physicians, and podiatrists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health Occupations  
Section 12–102.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 604 – Senators Kelley, Middleton, and Pugh**

AN ACT concerning

**Motor Vehicle Insurance – Uninsured Motorist Coverage – Effect of Consent to Offer of Settlement**

FOR the purpose of providing that written consent by an uninsured motorist insurer to acceptance of a certain settlement offer may not be construed to limit the right of the uninsured motorist insurer to raise certain issues in an action against the uninsured motorist insurer and does not constitute an admission by the uninsured motorist insurer as to any issue raised in the action; and generally relating to uninsured motorist coverage.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–511  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 605 – Senator Kelley**

AN ACT concerning

**Education – Children in State–Supervised Care – Geographical Attendance Area**

FOR the purpose of authorizing a child to remain in a school in a certain geographical attendance area regardless of whether the child resides within the area under certain circumstances; requiring that certain determinations regarding the best interests of certain children in State-supervised care be made in accordance with certain factors; requiring a county superintendent to allow a child to remain at a school the child attended prior to the child's removal from the child's home by a certain agency under certain circumstances; requiring the Secretary of Human Resources, in coordination with the State Superintendent of Schools, to adopt certain regulations establishing certain factors relating to the best interests of certain children; prohibiting a certain school from requiring a person enrolling a child in the school to produce certain documentation; requiring a certain child placement agency that has been unable to produce certain records to assist a certain school in obtaining the records under certain circumstances; requiring a certain child to remain enrolled in a certain school during a period of time when records are obtained; defining a certain term; and generally relating to authorizing a child in State-supervised care to remain in a school regardless of whether the child resides in the geographical area of the school.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4-109, 7-101(b), and 8-501  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 8-503.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 606 – Senator DeGrange**

AN ACT concerning

#### **Finance and Procurement – State Treasury – Collateral**

FOR the purpose of clarifying the types of collateral that may be used under certain provisions of law to include a certain letter of credit if the letter meets certain requirements of the State Treasurer's office; correcting a certain reference; and generally relating to letters of credit used as collateral.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 6–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 607 – Senator Benson**

AN ACT concerning

**Business Occupations – Plumbers and Gas Fitters – Apprentice License  
Renewal**

FOR the purpose of prohibiting the State Board of Plumbing from renewing certain apprentice plumber licenses or apprentice natural gas fitters licenses for more than a certain number of consecutive terms under certain circumstances; and generally relating to the license renewal of apprentice plumbers and apprentice natural gas fitters.

BY repealing and reenacting, without amendments,  
Article – Business Occupations and Professions  
Section 12–101(b) and (c) and 12–307(c) and (g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 12–308(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Business Occupations and Professions  
Section 12–308.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 608 – Senator Benson**

AN ACT concerning

**Maryland Higher Education Commission – Employees and Children – Tuition  
Waiver**

FOR the purpose of requiring each governing board of a public institution of higher education in the State to develop a certain policy for the waiver of certain tuition for employees of the Maryland Higher Education Commission and their children; and generally relating to the waiver of tuition at public institutions of higher education in the State for employees of the Maryland Higher Education Commission and their children.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–106  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 609 – Senator Benson (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund)**

AN ACT concerning

**Task Force on the Establishment of a Statewide Spay/Neuter Fund – Sunset Extension**

FOR the purpose of altering the date by which the Task Force on the Establishment of a Statewide Spay/Neuter Fund is required to report its findings and legislative recommendations to the Governor and certain committees of the General Assembly; extending the termination date of the Task Force; and generally relating to the Task Force on the Establishment of a Statewide Spay/Neuter Fund.

BY repealing and reenacting, with amendments,  
Chapter 266 of the Acts of the General Assembly of 2011  
Section 1 and 2

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

**Senate Bill 610 – Senators Benson, Colburn, Klausmeier, and Ramirez**

AN ACT concerning

**Crimes – Sale of Drug Paraphernalia to a Minor – Local Law Authorizing Business License Revocation for a Second or Subsequent Violation**

FOR the purpose of authorizing the governing body of a county or a municipal corporation to adopt a local law that authorizes the county or municipal corporation to revoke or not renew the business license of an establishment for the second or subsequent conviction of an employee of the establishment under certain circumstances; and generally relating to the sale of drug paraphernalia to a minor.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–619(d)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 611 – Senators Benson, Klausmeier, and Montgomery**

AN ACT concerning

**Health – Pregnant Women – Hepatitis B Testing**

FOR the purpose of requiring an individual attending a woman for pregnancy to submit to a medical laboratory a blood sample taken from the woman at the time the individual first examines the woman and, under certain circumstances, at the time of delivery; requiring the medical laboratory that receives the blood sample to perform a certain hepatitis B surface antigen test; providing for the application of this Act; and generally relating to the testing of pregnant women for hepatitis B.

BY adding to  
Article – Health – General  
Section 18–310  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 612 – Senators Raskin, Jacobs, Forehand, Getty, Ramirez, Stone, and Zirkin**

AN ACT concerning

**Criminal Law – First Degree Assault – Strangulation**

FOR the purpose of prohibiting a person from committing an assault by applying pressure on the throat or neck of another person in a certain manner;

establishing that a person who violates this Act is guilty of the felony of assault in the first degree and on conviction is subject to a certain penalty; and generally relating to the crime of assault in the first degree.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–202  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 613 – Senators Raskin, Benson, Brochin, Conway, Dyson, Forehand, Frosh, Gladden, Jacobs, Montgomery, Muse, Peters, Ramirez, Reilly, Rosapepe, and Stone**

AN ACT concerning

**Child Sexual Abuse Reporting – Training of School Employees**

FOR the purpose of requiring the State Board of Education to develop a certain model program by a certain date for training professional school employees on the prevention, identification, and reporting of child sexual abuse; requiring that the model program include certain information; authorizing the model program to include a certain sexual abuse prevention curriculum; requiring certain county boards of education and certain nonpublic schools to develop a certain mandatory training program for all professional school employees by a certain date; requiring certain county boards of education and certain nonpublic schools to provide opportunities to participate in certain training to certain individuals; requiring certain county boards of education and certain nonpublic schools to make available certain information on the warning signs of sexual abuse and certain counseling and resources for certain students in the school handbook and on the school's Web site; defining a certain term; and generally relating to training professional school employees on the prevention, identification, and reporting of child sexual abuse.

BY adding to  
Article – Education  
Section 7–434  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–704  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 614 – Senators Raskin, Madaleno, Montgomery, and Pinsky**

AN ACT concerning

**Stormwater Management – Watershed Protection and Restoration Program**

FOR the purpose of requiring each county and municipality to adopt certain laws or ordinances to establish a watershed protection and restoration program on or before a certain date; exempting a certain county or municipality from the requirements of this Act if the county or municipality has enacted and implemented a certain system of charges in a certain manner by a certain date; requiring a watershed protection and restoration program to include a stormwater remediation fee and a local watershed protection and restoration fund; requiring each county and municipality to maintain and administer a local watershed protection and restoration fund in accordance with this Act; establishing the purpose of a local watershed protection and restoration fund; 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; providing that a stormwater remediation fee is separate from certain other charges; authorizing a county or municipality to reduce a stormwater remediation fee in accordance with certain policies and procedures for a certain purpose; requiring the policies and procedures to include certain items; prohibiting, with certain exception, a county from imposing a stormwater remediation fee on a property located within a municipality; authorizing a municipality to authorize a county to impose a stormwater remediation fee on a property located within a municipality in place of a municipal stormwater remediation fee; requiring each county and municipality to establish a procedure for a property owner to appeal the imposition of a stormwater remediation fee; requiring each county and municipality to determine the method, frequency, and enforcement of the collection of the stormwater remediation fee and to deposit the fee into a local watershed protection and restoration fund; specifying the money to be deposited in a local watershed protection and restoration fund and the uses of the money in the fund; providing that money in a local watershed and restoration fund may not revert or be transferred to the general fund of any county or municipality; requiring each county and municipality to make publicly available a report on certain information; authorizing the Department of the Environment 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 4–201.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 4–202.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 615 – Senator Jennings**

AN ACT concerning

#### **Legislative Audits – Joint Audit Committee Recommendations**

FOR the purpose of requiring the Joint Audit Committee to recommend to the Governor and the Comptroller that specified units of government take specified corrective actions to correct certain findings in certain reports of a fiscal/compliance nature; repealing the authority of the Joint Audit Committee to grant a waiver from certain recommended actions made to certain units of government; making conforming changes; and generally relating to fiscal/compliance findings and recommendations of the Joint Audit Committee.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–1224(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 616 – Senator Jennings**

#### **CONSTITUTIONAL AMENDMENT**

AN ACT concerning

#### **Judges – Mandatory Retirement**

FOR the purpose of proposing amendments to the Maryland Constitution altering the mandatory retirement age for judges under certain circumstances; requiring a certain certification of certain judges; making certain technical corrections;

providing for the application of this Act; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article IV – Judiciary Department

Section 3, 3A, 5A(f), 18B, and 41D

BY proposing an addition to the Maryland Constitution

Article IV – Judiciary Department

Section 3B

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

### **Senate Bill 617 – Senator Jennings**

AN ACT concerning

#### **Legislative Audits – Reports – Electronic Access**

FOR the purpose of requiring that a certain audit or report of the Office of Legislative Audits be accessible on a certain Web site of a unit of State government for public access within a certain time frame; requiring that certain units of State government with a certain number of repeat audit findings make available a certain report for public access on certain actions and a certain schedule of implementation within a certain time frame; and generally relating to public access to audits, reports, recommendations and implementation of recommendations by units of State government.

BY repealing and reenacting, with amendments,

Article – State Government

Section 2–1224(f) and (h)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 618 – Senator Jennings**

AN ACT concerning

#### **State Government – Notaries Public – Revisions**

FOR the purpose of prohibiting an individual, under certain circumstances, from being appointed as a notary public; requiring an out-of-state notary, under certain circumstances, to surrender the notary's commission to the Secretary of State; authorizing a certain notary to apply for appointment as a State resident notary; requiring, under certain circumstances, that a certain notary be

appointed and commissioned as a State resident notary; prohibiting a certain individual from being appointed and commissioned by reciprocity as a State resident notary; establishing requirements that a State resident appointed as a notary public must meet; establishing requirements that an out-of-state individual appointed as a notary public must meet; requiring a certain application to be accompanied by a copy of the applicant's green card; prohibiting a certain notary from being required to pay certain fees; providing that an out-of-state notary may exercise certain functions only in the course of the notary's employment; and generally relating to notaries public in the State.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 18–101, 18–102, 18–103, and 18–109  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 619 – Senator Jennings**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Dedicated Funds – Prohibition of Transfer**

FOR the purpose of proposing an amendment to the Maryland Constitution prohibiting certain transfers of dedicated State funds to the General Fund except under certain circumstances; authorizing the General Assembly to transfer certain funds under certain circumstances; defining a certain term; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53

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

### **Senate Bill 620 – Senator Jennings**

AN ACT concerning

#### **Family Law – Support Enforcement – Definition of Earnings**

FOR the purpose of altering a certain definition of “earnings” for purposes of certain support enforcement cases to exclude certain workers’ compensation payments;

and generally relating to the definition of “earnings” for purposes of certain support enforcement cases.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 10–101(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 10–101(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 621 – Senators Shank, Jennings, Simonaire, and Young**

AN ACT concerning

**Public Schools – Epinephrine Availability and Use – Policy Requirements**

FOR the purpose of requiring each county board of education to establish a policy to authorize certain school personnel to administer auto–injectable epinephrine to certain students under certain circumstances; requiring a certain policy to include certain information; providing that a certain policy may authorize a school nurse to obtain and store at a public school auto–injectable epinephrine for certain purposes; requiring certain public schools to submit a certain report to the State Department of Education; requiring the Department to develop and disseminate a certain standard form; defining certain terms; and generally relating to an epinephrine availability and use policy in public schools.

BY adding to  
Article – Education  
Section 7–426.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 622 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Washington County – Amusement Devices – Tip Jars**

FOR the purpose of altering the definition of “amusement device” as it relates to the operation and regulation of amusement devices in Washington County to include a game activated by an object or other consideration of value; altering the definition of “gross profits” as it relates to the operation of a tip jar in Washington County to require the deduction of the cost of a gaming sticker; and generally relating to the operation and regulation of amusement devices and tip jars in Washington County.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 11–202  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–2435  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 623 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Washington County – Volunteer Fire and Rescue  
Companies – Reimbursement of Costs**

FOR the purpose of authorizing the County Commissioners of Washington County to establish, by resolution or ordinance, a system of fees under which a volunteer fire department, rescue squad, or ambulance company in the county may charge for services rendered at an emergency fire or rescue incident under certain circumstances; authorizing a resolution or ordinance adopted under this Act to provide for the reimbursement of certain reasonable costs under certain circumstances; requiring a resolution or ordinance adopted under this Act to authorize the imposition of a fee only on a certain person; and generally relating to the reimbursement of costs by volunteer fire and rescue companies in Washington County.

BY adding to  
Article – Public Safety  
Section 7–404  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 624 – Senators Forehand and Montgomery**

AN ACT concerning

**Motor Vehicles – Motor Scooters, Mopeds, and Off-Highway Recreational Vehicles – Titling and Required Use of Protective Headgear**

FOR the purpose of requiring a motor scooter or moped in the State to be titled by the Motor Vehicle Administration; requiring an application for a certificate of title for a motor scooter or moped to be submitted electronically; requiring the Administration to issue a permanent decal to the owner of a motor scooter, a moped, or an off-highway recreational vehicle for which a certificate of title is issued; requiring an owner of a motor scooter, a moped, or an off-highway recreational vehicle to display the decal in a certain manner; requiring a decal to display a unique number sequence assigned by the Administration; requiring the Administration to establish a certain fee for the decal and adopt certain regulations; prohibiting a person from operating a motor scooter, a moped, or an off-highway recreational vehicle unless the motor scooter, moped, or off-highway vehicle displays the decal in a certain manner; establishing a certain fee for a certificate of title issued for a motor scooter, a moped, or an off-highway recreational vehicle; establishing the criteria for determining the fair market value of a motor scooter or a moped for the purpose of determining the excise tax under certain circumstances; prohibiting a person from operating or riding on a motor scooter or an off-highway recreational vehicle unless the person is wearing certain protective headgear; altering certain definitions; clarifying that the defined term “bicycle” includes a moped; clarifying certain language; providing for a delayed effective date for this Act; and generally relating to vehicle titling and the required use of protective headgear for owners of motor scooters, mopeds, and off-highway recreational vehicles.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 11-104, 11-176, 13-102, 13-104(a), 13-106, 13-802, 13-809(a)(2),  
21-1202, 21-1207.1, and 21-1207.2

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 11-134.1, 11-134.5, 11-135, 13-101.1, and 13-809(a)(1)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 625 – Senators Forehand and Montgomery**

AN ACT concerning

**Tobacco-Free Schools Act**

FOR the purpose of prohibiting the use of tobacco products in school buildings, on school grounds, and inside school buses; prohibiting the use of tobacco products by certain persons at certain school-sponsored events; providing a penalty for a violation and requiring the penalty to be paid to a certain fund; authorizing a waiver of the penalty in certain circumstances; requiring the State Board of Education to adopt certain regulations; defining certain terms; and generally relating to the use of tobacco products at schools.

BY adding to

Article – Education

Section 26-105

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 626 – Senators Forehand, Raskin, and Young**

AN ACT concerning

**Child Abuse – Failure to Report – Civil Penalty and Child Abuse Prevention Fund**

FOR the purpose of authorizing the Attorney General to institute a civil action against certain professionals who fail to report child abuse or neglect under certain circumstances; establishing a certain civil penalty for each violation; requiring a civil penalty collected under this Act to be deposited in the Child Abuse Prevention Fund; establishing that the civil penalty established under this Act is in addition to any other penalty provided by law; providing for the construction of certain provisions of this Act; establishing the Child Abuse Prevention Fund; requiring the Governor's Office of Crime Control and Prevention to administer the Fund; specifying the purpose of the Fund; establishing that the Fund is a special, nonlapsing fund, not subject to certain provisions of law; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in the Fund; establishing that money expended from the Fund is not intended to take the place of certain other funding; defining a certain term; and generally relating to child abuse and neglect.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 5–704  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Family Law  
Section 5–704.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 627 – Senator Conway**

AN ACT concerning

#### **Alcoholic Beverages – Class B Licenses – Restaurants**

FOR the purpose of authorizing a business in which a parent company has a direct or indirect interest and that operates using a certain trademark used in connection with restaurant services to obtain a Class B beer license, Class B beer and wine license, or a Class B beer, wine and liquor license for certain premises used as a restaurant; requiring an applicant for a certain license to apply for the license in a certain manner and pay a certain fee; limiting the granting of a certain license to a certain purpose of providing alcoholic beverages for consumption on the licensed premises only; making a certain exception; establishing that certain provisions of law do not limit the rights of certain persons to obtain certain licenses; providing that the granting of a certain license is not subject to certain provisions of law limiting the number of permitted licenses; establishing that a certain provision of law does not authorize the issuance of more licenses than the maximum number of licenses permitted in a certain county, the City of Annapolis, or Baltimore City; defining certain terms; and generally relating to the obtaining of a Class B beer license, Class B beer and wine license, or a Class B beer, wine and liquor license by a business in which a parent company has a direct or indirect interest and that operates using a trademark used in connection with restaurant services.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages

Section 9–102(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 9–102(a–2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 628 – Senator Conway**

AN ACT concerning

**Minority Business Enterprise Program – Participation Subgoals – Prime Contractors**

FOR the purpose of requiring, under certain circumstances, a unit of State government to count the dollar value of a procurement contract made directly or indirectly with a prime contractor that is a certified minority business enterprise as meeting half of the certified minority business enterprise participation subgoal on the contract; and generally relating to the participation subgoals under the Minority Business Enterprise Program.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 14–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 629 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)**

AN ACT concerning

**State Board of Physicians – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Physicians in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; prohibiting certain individuals from

providing certain services to the Board under certain circumstances; prohibiting certain individuals from being appointed to the Board under certain circumstances; repealing a certain provision of law regarding entry onto private premises for a certain purpose; authorizing the Board's executive director to apply for a certain search warrant under certain circumstances; specifying that the application for the warrant must meet certain requirements; authorizing a judge who receives a certain search warrant application to issue a warrant under certain circumstances; specifying that a certain search warrant must include certain information and be executed and returned to a certain person within a certain period of time; authorizing certain physicians to practice medicine without a license under certain circumstances; providing for a certain exception to certain education qualifications necessary for licensure; codifying the requirement that the Board provide certain individuals an opportunity to appear before the Board under certain circumstances; requiring the Board to disclose the filing of charges and initial denials of licensure on the Board's Web site; requiring that physician license profiles include a summary of charges filed against the physician and a copy of the charging document under certain circumstances; requiring that license profiles include a certain disclaimer; requiring the Board to include certain information on a license profile within a certain time period; specifying that a certain report that certain entities are required to file with the Board include certain information; authorizing the Board to impose a certain civil penalty on an alternative health system that fails to file a certain report; requiring the Board to remit a certain penalty to the General Fund of the State; repealing the requirement that a circuit court of the State impose a civil penalty on an alternative health system that fails to file a certain report; specifying that a certain court reporting requirement is to be enforced by the imposition of a certain fine by a circuit court of the State; requiring the Board and the Department of Health and Mental Hygiene to develop and implement a certain strategy on or before a certain date; requiring the Board to consider engaging the services of a certain consultant to develop and recommend a certain strategy for addressing and implementing certain recommendations; requiring the Board to report certain results and a certain status to the General Assembly on or before a certain date; requiring the Board to assess certain practices and submit a certain long-term fiscal plan to the Department of Legislative Services on or before a certain date; requiring the Board to amend the Board's regulations to reflect the procedures of the Board on or before a certain date; requiring the Department of Legislative Services to make certain recommendations to certain committees of the General Assembly on or before a certain date; and generally relating to the State Board of Physicians.

BY adding to

Article – Health Occupations

Section 14–202(l), 14–206.1, 14–401(l), and 14–416

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–206(d)(1), 14–302, 14–307, 14–308, 14–411(i), 14–411.1(b), (c)(2), and  
(f), 14–413, 14–414, and 14–702

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 630 – Senators Jones–Rodwell, Currie, Gladden, Kelley, McFadden, Muse, and Pugh**

AN ACT concerning

**State Government – Commemorative Days – Juneteenth National Freedom Day**

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

BY adding to

Article – State Government

Section 13–410

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 631 – Senators Jones–Rodwell and Madaleno**

AN ACT concerning

**Tobacco Tax – Maryland Tobacco–Free Kids Initiative**

FOR the purpose of altering the tobacco tax rates on other tobacco products; requiring a wholesaler to report the amount of other tobacco products sold on a tobacco tax return; defining certain terms; and generally relating to the taxation of other tobacco products.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 12–105(b) and 12–202

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 632 – Senators Montgomery, Forehand, Jones–Rodwell, Manno,  
and McFadden**

AN ACT concerning

**Criminal Law – Flavored Cigars – Prohibition on Sale**

FOR the purpose of prohibiting a person from selling or distributing or offering to sell or distribute a flavored cigar; establishing penalties for a violation of this Act; authorizing the Comptroller to deny a license to a certain applicant, reprimand a certain licensee, or suspend or revoke a certain license if the applicant or licensee sells or distributes cigars in violation of a certain provision of this Act; providing that certain provisions of law do not preempt a county or municipal government from enacting and enforcing certain measures; providing for the application of certain provisions of this Act; providing that certain cigars may continue to be sold until a certain date; defining certain terms; and generally relating to the sale and distribution of flavored cigars.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 16–210  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Business Regulation  
Section 16–402(e) and 16.5–101(p)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 10–106.1  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 633 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Elective Share – Augmented Estate**

FOR the purpose of repealing certain provisions of law relating to a surviving spouse making an election to take a certain share of the net estate of the decedent instead of the property left to the surviving spouse under the will; providing that a surviving spouse is entitled to take a certain elective share amount of a certain augmented estate; providing for a certain supplemental elective–share amount; establishing that certain amounts are not to be charged to the elective share; providing for the composition of a certain component of an augmented estate; providing for the composition of the net probate estate of a certain decedent; establishing the values of certain nonprobate transfers by the decedent to others in the composition of an augmented estate; establishing the values of certain nonprobate transfers by the decedent to the surviving spouse in the composition of an augmented estate; establishing the values of property owned by the surviving spouse at the death of the decedent in the composition of an augmented estate with certain additions and reductions; providing for certain exclusions from the nonprobate transfers by the decedent to others; establishing the priority to be used in determining the sources from which a certain elective share amount is payable; providing for the personal liability of certain recipients of certain nonprobate transfers; establishing the proceeding to be used to make an elective share; establishing certain time limits to make an elective share; clarifying that the right of a certain election may be exercised only by or on behalf of a certain surviving spouse; authorizing the waiver of a certain right of election; providing certain protections to certain payors and other third parties who made certain payments or took certain other actions before receiving notice of a certain election; defining certain terms; providing for the application of this Act; and generally relating to surviving spouses and elective shares in the estates and trusts law.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

The subtitle designation “Subtitle 2. Family Allowance” to immediately precede

Section 3–201

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 3–201 and 3–202

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY repealing

Article – Estates and Trusts

Section 3–203 through 3–208

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY adding to

Article – Estates and Trusts

Section 3–401 through 3–414 to be under the new subtitle “Subtitle 4. Elective Share of Surviving Spouse”

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

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

**Senate Bill 634 – Senators Frosh, Astle, Colburn, Garagiola, Klausmeier, Manno, Mathias, Middleton, Pipkin, Pugh, and Raskin**

AN ACT concerning

**Food Service Facilities – Open Windows and Doors – Regulations**

FOR the purpose of requiring the Department of Health and Mental Hygiene, on or before a certain date, to adopt certain regulations that allow a food service facility to operate with the outer windows or outer doors of the facility open if a certain determination is made by a certain local health department; and generally relating to regulations for open windows and doors at food service facilities.

BY adding to

Article – Health – General

Section 21–324.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 635 – Senators Frosh, Madaleno, Manno, Montgomery, and Pinsky**

AN ACT concerning

**Environment – Water Appropriation or Use Permits – Fees**

FOR the purpose of requiring a certain person to pay certain water appropriation or use permit fees under certain circumstances and in a certain manner; requiring the Department of the Environment to set certain fees by regulation and at rates necessary to fund certain costs and activities; requiring certain fees to be paid into the Maryland Clean Water Fund; requiring the Secretary of the Environment to convene a certain workgroup to develop a certain fee structure; requiring the Department to report the workgroup’s findings and recommendations in a certain manner to certain committees on or before a

certain date; defining certain terms; and generally relating to fees for water appropriation or use permits.

BY adding to

Article – Environment

Section 5–502.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–320 and 9–1008

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 636 – Senator Frosh**

AN ACT concerning

#### **Environment – Presumptive Impact Areas – Damage Caused by Gas Wells in Deep Shale Deposits**

FOR the purpose of establishing for certain gas well permits a certain presumptive impact area around the gas well; establishing limits on the area and the time period in which a presumptive impact area shall be in effect; requiring the Department of the Environment to consider certain factors in making certain determinations; requiring a permittee to replace a certain water supply and repair certain damage or pay monetary compensation to a certain property owner in a presumptive impact area under certain circumstances; establishing certain conditions under which a certain water supply within a presumptive impact area shall be considered to be replaced adequately by the permittee; establishing a certain condition under which certain property damage within a presumptive impact area shall be considered to be repaired adequately by the permittee; requiring a permittee to pay certain compensation to a certain property owner under certain circumstances; prohibiting the Department from requiring a permittee to replace a water supply or repair or compensate an owner for other damage under certain circumstances; requiring the Department to adopt certain regulations; establishing that a certain presumption of causation does not apply under certain circumstances; providing that a certain presumption of causation applies in certain civil actions; providing that the presumption may be rebutted by clear and convincing evidence; stating certain legislative findings and intent; providing for the construction of this Act; and generally relating to damage caused by certain activities of gas exploration or production.

BY adding to

Article – Environment  
Section 14–110.1 and 14–110.2  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 637 – Senator Pipkin**

AN ACT concerning

**Nuclear Power Transparency Act of 2012**

FOR the purpose of prohibiting a person from operating a nuclear generating facility in the State until the person discloses certain information to the Public Service Commission in writing; and generally relating to operating a nuclear generating facility in the State.

BY adding to

Article – Public Utilities  
Section 7–207.2  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 638 – Senators Pipkin and Rosapepe**

AN ACT concerning

**Electricity Market – Goal of the State – Best Possible Price for Ratepayers Through Reregulation**

FOR the purpose of providing that, on and after a certain date, the goal of the State is to return as soon as possible to a regulated electricity market for certain customer classes that results in a reliable electricity system at the best possible price for certain ratepayers; providing that the purpose of a certain current statute that establishes customer choice, competitive retail electricity markets, and deregulation of generation of electricity remains in effect until a certain other date; requiring the Public Service Commission to develop a certain transition plan; and generally relating to the goal of the State to return to a regulated electricity market for certain customers.

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 7–504  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 639 – Senators Pipkin and Rosapepe**

EMERGENCY BILL

AN ACT concerning

**Public Service Commission – Application for Substantial Influence –  
Divestiture of Gas and Electric Company**

FOR the purpose of prohibiting the Public Service Commission from approving a certain application that requests authorization to acquire the power to exercise substantial influence over the policies and actions of a certain gas and electric company unless the Commission requires a certain condition in a certain order under a certain case; making this Act an emergency measure; and generally relating to divestiture of a gas and electric company.

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

**Senate Bill 640 – Senators Ramirez, Forehand, Manno, Montgomery, and  
Rosapepe**

AN ACT concerning

**Public Safety – Possession of Firearms – Crimes Committed in Other States**

FOR the purpose of prohibiting a person from possessing a regulated firearm, rifle, or shotgun if the person was previously convicted of an offense under the laws of another state or the United States that would constitute a certain crime if committed in this State; and generally relating to restrictions on possession of a regulated firearm, rifle, or shotgun.

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 5–133(c)(1) and 5–206(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 641 – Senators Ramirez, Montgomery, and Rosapepe**

AN ACT concerning

**Admissions and Amusement Tax – Returns and Penalties**

FOR the purpose of increasing certain penalties for willful failure to file an admissions and amusement tax return under certain circumstances; increasing certain penalties for willfully making a false statement or misleading omission on admissions and amusement tax returns; increasing certain penalties for willful failure to keep admissions and amusement tax records; and generally relating to the admissions and amusement tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 13–1001(a), 13–1003(a), 13–1005(a), and 13–1008(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 642 – Senators Ramirez, Colburn, Forehand, Klausmeier, Manno, Montgomery, Rosapepe, and Shank**

AN ACT concerning

**Criminal Law – Third Degree Sexual Offense – Burglary**

FOR the purpose of establishing that engaging in sexual contact with another without the consent of the other in connection with a first, second, or third degree burglary constitutes sexual offense in the third degree; providing for the application of this Act; and generally relating to sexual offense in the third degree.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–307

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

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

**Senate Bill 643 – Senators Ramirez, Colburn, Kelley, Montgomery, and Muse**

AN ACT concerning

**Vehicle Laws – Abandoned Vehicles – Notice**

FOR the purpose of altering the definition of abandoned vehicle to include a certain stolen vehicle; altering the time and manner for a certain notice to be given to a certain person by a police department; and generally relating to notice regarding abandoned vehicles.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 25–201(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 25–201(b) and 25–204(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 644 – Senators Ramirez and Muse**

AN ACT concerning

#### **State Real Estate Commission – Licensees – Inspection of Records and Agency Disclosure Requirements**

FOR the purpose of requiring certain licensees of the State Real Estate Commission to keep copies of certain documents; requiring certain inspections to include audits of certain records; altering the services an intra–company agent may provide to a client under certain circumstances; requiring the Commission to explain certain information in a certain uniform written disclosure form; requiring a certain written consent to include a certain statement; altering certain definitions; defining certain terms; and generally relating to inspections of records and agency disclosure requirements for licensees of the State Real Estate Commission.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 17–101(b), (h), (i), and (j), 17–507, and 17–530  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Business Occupations and Professions  
Section 17–613(a)(5) and (d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 645 – Senators Ramirez, Muse, and Rosapepe**

AN ACT concerning

**Courts and Judicial Proceedings – Criminal Injuries Compensation Fund –  
Court Costs**

FOR the purpose of requiring the imposition of certain court costs if a defendant is sentenced to probation before judgment for or pleads nolo contendere to a certain crime or offense; and generally relating to court costs deposited into the Criminal Injuries Compensation Fund.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–819(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–409(b), (c), and (d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 7–409(e) and (f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 646 – Senators Ramirez, Colburn, Raskin, and Rosapepe**

AN ACT concerning

**Criminal Law – Mail Theft – Penalty**

FOR the purpose of prohibiting a person from knowingly and willfully removing, taking, possessing, obtaining, or receiving mail under certain circumstances without the permission of the United States Postal Service or the intended recipient; providing penalties for a violation of this Act; repealing a certain prohibition against opening a letter without permission that is rendered

inconsistent with this Act; providing that a person who violates this Act is subject to a certain statute of limitations and may reserve a point or question for a certain in banc review; providing that a prosecution under this Act does not preclude a certain prosecution for theft; requiring a conviction for a violation of this Act to merge for sentencing purposes into a certain conviction for theft under certain circumstances; defining certain terms; and generally relating to the theft of mail.

BY repealing

Article – Criminal Law  
Section 3–905  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Law  
Section 7–106.1  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

**Senate Bill 647 – Senators Ramirez, Colburn, Forehand, Jacobs, Raskin, Shank, Stone, and Zirkin**

AN ACT concerning

### **Domestically Related Crimes – Reporting**

FOR the purpose of requiring the court, on request of the State's Attorney, to determine whether a crime for which a defendant is convicted or receives a probation before judgment disposition is a domestically related crime; establishing that the State has the burden of proving by a preponderance of the evidence that the crime is a domestically related crime; requiring a finding by the court that a crime is a domestically related crime to become part of the court record for certain purposes; expanding the list of events that are required to be reported to the Criminal Justice Information System Central Repository to include a finding by a court that a defendant has been convicted of or received a probation before judgment disposition for a domestically related crime; defining a certain term; and generally relating to the reporting of domestically related crimes.

BY adding to

Article – Criminal Procedure  
Section 6–233  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 10–215  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 4–501(a) and (m)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 648 – Senator Ramirez**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Colmar Manor Police Station**

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

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

**Senate Bill 649 – Senators Ramirez, Raskin, and Jones–Rodwell**

AN ACT concerning

**Environment – Asbestos Worker Protection**

FOR the purpose of adding to the General Assembly’s findings related to protecting the safety of asbestos removers; requiring the Department of the Environment to verify certain information before accrediting an individual to engage in an asbestos occupation; authorizing the Department to include the costs of examination administration in setting certain fees; increasing the maximum penalty that may be imposed for certain violations; establishing a minimum penalty under a certain circumstance; requiring certain penalties and fines to be paid into the Asbestos Worker Protection Fund and providing for the uses of the Fund; establishing the Fund as a special, nonlapsing fund; requiring the

Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in and expenditures from the Fund; exempting certain interest earnings from a requirement that certain interest accrue to the General Fund; altering the definition of a certain term; defining a certain term; and generally relating to asbestos worker protection.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 6–401(a) and (d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–402, 6–417, and 6–422  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 6–425 to be under the new part “Part V. Asbestos Worker Protection Fund”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 650 – Senators Ramirez, Colburn, Forehand, Garagiola, Manno, Montgomery, Robey, and Rosapepe**

AN ACT concerning

**Public Safety – Impersonating a Police Officer – WMATA Metro Transit Police**

FOR the purpose of prohibiting a person from falsely representing that the person is a member of the Washington Metropolitan Area Transit Authority (WMATA) Metro Transit Police under certain circumstances; prohibiting a person from having, using, wearing, or displaying a certain identification or simulation or

imitation of a certain identification of a member of the WMATA Metro Transit Police except under certain circumstances; authorizing a person to have a certain identification with the appropriate authority of the WMATA Metro Transit Police; altering a certain definition; and generally relating to impersonating a member of the WMATA Metro Transit Police.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–502  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

**Senate Bill 651 – Senators Ramirez, Ferguson, Forehand, Garagiola, Jones–Rodwell, Klausmeier, Manno, Montgomery, Rosapepe, and Stone**

AN ACT concerning

**Economic Development – Green Business Incentive Zones**

FOR the purpose of authorizing the creation of green business incentive zones in the State; establishing eligibility criteria and factors to be considered by the Secretary of Business and Economic Development in approving the zones; establishing procedures for applying for establishment of the zones and the benefits available in the zones; limiting the number of zones that can be created in a calendar year; authorizing the Secretary to adopt certain regulations to carry out certain provisions of this Act; requiring the Department of Business and Economic Development to consider whether a project is located in certain areas when considering whether to provide financial assistance to the project; requiring the Secretary and the State Comptroller to assess annually the effectiveness of certain tax credits provided to certain businesses located in a green business incentive zone and submit a certain report; establishing a certain credit against the State income tax for certain businesses located in a green business incentive zone; establishing a certain credit against certain property taxes imposed on certain real property located in a green business incentive zone; requiring a local governing body to certify to the Department of Assessments and Taxation the real properties in a zone that qualify for a tax credit and the date of qualification; requiring the Department to submit certain information to a local governing body before tax bills are sent; requiring the State to remit funds to a county or municipal corporation to offset a certain amount of property tax revenues not collected by the county or municipal corporation because of the property tax credit; defining certain terms; providing for the effective date of a portion of this Act; and generally relating to green business incentive zones and the benefits available in green business incentive zones.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 5–102 and 5–105  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY adding to  
Article – Economic Development  
Section 5–1401 through 5–1408 to be under the new subtitle “Subtitle 14. Green  
Business Incentive Zones”  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–702.1  
Annotated Code of Maryland  
(2010 Volume and 2011 Supplement)

BY adding to  
Article – Tax – Property  
Section 9–103.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 5–1403(b)(16)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 652 – Senators Middleton, Young, Garagiola, Manno, Mathias, and  
Rosapepe**

AN ACT concerning

**Renewable Energy Portfolio Standard – Renewable Energy  
Credits – Geothermal Heating and Cooling**

FOR the purpose of specifying that energy generated from a geothermal heating and cooling system is eligible for inclusion in meeting the renewable energy portfolio standard; entitling a certain person or entity to receive a renewable energy credit under certain circumstances; specifying the method by which energy

generation and consumption shall be measured; requiring geothermal heating and cooling system installation to comply with certain standards; defining a certain term; altering the definition of a certain term; and generally relating to geothermal heating and cooling systems.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–701(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities  
Section 7–701(c–1) and 7–704(h)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–701 (l)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 653 – Senators Klausmeier, Kittleman, Astle, Colburn, Forehand, Garagiola, Glassman, King, Middleton, and Peters**

AN ACT concerning

**Income Tax – Expensing of Business Property and Bonus Depreciation**

FOR the purpose of limiting the applicability of certain Maryland income tax modifications for certain deductions for the cost of business property placed in service that is treated as an expense for federal income tax purposes; limiting the applicability of certain Maryland income tax modifications for a certain additional depreciation allowance under the federal income tax for business property placed in service; providing for the application of this Act; and generally relating to certain Maryland income tax modifications with respect to the federal income tax treatment of business property.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–210.1(b)(1) and (3)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–310  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 654 – Senator Klausmeier (By Request – Baltimore County Administration)**

EMERGENCY BILL

AN ACT concerning

**Baltimore County – Alcoholic Beverages Licenses**

FOR the purpose of authorizing the Baltimore County Board of License Commissioners to approve the transfer of certain alcoholic beverages licenses in existence in a certain election district on a certain date to certain election districts based on a certain rule; establishing a certain limit on the number of licenses that may be transferred during a certain period; requiring the Board to create and issue a certain number of Class B Service Bar (SB) beer and wine licenses during certain time periods under certain circumstances; requiring a Class B Service Bar (SB) beer and wine license to comply with certain provisions of law relating to the operation of restaurants; establishing a certain fee; requiring the conversion of a Class D license to a Class B license that is transferred from a certain election district to any other election district and prohibiting its transfer or conversion to another class of license; prohibiting the transfer from a licensed premises or conversion to another class of license of any new license issued by the Board based on a certain increase in population; requiring the issuance of a license for a partnership to be issued to at least two general partners, at least one of whom is a registered voter of any county or Baltimore City and resides in the county or Baltimore City at the time of application; requiring the Board to issue a license to only one partner of a partnership as an individual under certain circumstances; altering the maximum number of certain licenses an individual or a sole proprietorship, partnership, corporation, unincorporated association, or limited liability company may obtain a certain interest in; repealing certain provisions of law relating to minimum seating capacity for dining and a maximum percentage of sales in alcoholic beverages; altering a certain residency requirement for certain license applicants to require residency in the State for a certain period of time; repealing a certain provision of law requiring that a certain certificate be signed by a certain number of citizens regarding the length of time each has been acquainted with a certain applicant; requiring the Board to allow a certain reduction of certain square footage requirements applicable to certain buildings under a certain rule; requiring the County Executive for Baltimore County to

appoint a certain task force to study certain issues relating to the distribution of alcoholic beverages licenses in Baltimore County; providing for the construction of certain provisions of this Act; making this Act an emergency measure; and generally relating to the transfer and issuance of alcoholic beverages licenses in Baltimore County.

BY adding to

Article 2B – Alcoholic Beverages  
Section 8–204.7 and 8–204.8  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 9–101(a)(1), 9–102(b–3B)(1) and (b–3C)(1), and 10–103(b)(4) and (18)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing

Article 2B – Alcoholic Beverages  
Section 10–104(e)  
Annotated Code of Maryland  
(2011 Replacement Volume)

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

### **Senate Bill 655 – Senators Klausmeier, Astle, and Pugh**

AN ACT concerning

#### **Residential Multiple Occupancy Buildings – Master Meters – Heating, Ventilation, and Air Conditioning Services**

FOR the purpose of repealing the termination provision of a certain provision on the use of master meters for certain heating, ventilation, and air conditioning services in certain residential multiple occupancy buildings; and generally relating to residential multiple occupancy buildings.

BY repealing and reenacting, without amendments,

Article – Public Utilities  
Section 7–304.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Chapter 315 of the Acts of the General Assembly of 2010

## Section 2

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

**Senate Bill 656 – Senators Manno, Ramirez, Benson, Colburn, Ferguson, Forehand, King, Klausmeier, Madaleno, Montgomery, and Raskin**

AN ACT concerning

**Community Colleges – Tuition Waivers – Inclusion of Fees**

FOR the purpose of altering the definition of the term “tuition” as it applies to a waiver of the charges for residents of the State who are out of the work force for certain reasons relating to a disability and who are taking courses at a community college to include certain fees; making a stylistic change; and generally relating to tuition waivers for senior citizens attending community college.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 16–106(a), (b), and (c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 657 – Senator Muse**

AN ACT concerning

**Horse Racing – Maryland Foaled Stakes Program – Termination**

FOR the purpose of terminating the Maryland Foaled Stakes Program; specifying that certain money be allocated only to the Maryland Sire Stakes Program; specifying that the Maryland Standardbred Race Fund consists only of the Sire Stakes Program; providing for a delayed effective date; making certain technical changes; and generally relating to horse racing in the State.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–404.1, 11–406, 11–615(a), 11–617(b) and (c), 11–624, and 11–633  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Business Regulation

Section 11–632  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 658 – Senator Muse**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Friendly High School  
Gymnasium**

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 School Board of Prince George’s County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 659 – Senators Pinsky, Klausmeier, Manno, and Rosapepe**

AN ACT concerning

**State Procurement – Disclosure of the Relocation of Jobs to a Foreign  
Country**

FOR the purpose of requiring a prospective bidder or offeror to disclose certain information to the Department of General Services concerning plans to relocate jobs to a foreign country when submitting a bid or an offer to a unit of State government; requiring a contractor to notify the Department of certain job relocations within a certain time period; prohibiting a certain contractor from receiving certain benefits or incentives from the State under certain circumstances; requiring a certain contractor to repay certain incentives and benefits within a certain time period; providing for the application of this Act; providing that this Act may not impair any existing obligation or contract right; and generally relating to State procurement and the disclosure of certain information concerning the relocation of jobs to foreign countries.

BY adding to

Article – State Finance and Procurement

Section 11–401 through 11–403 to be under the new subtitle “Subtitle 4.

Disclosure of the Relocation of Jobs to a Foreign Country”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 660 – Carroll County Senators**

AN ACT concerning

**Carroll County – Board of Education – Selection of Student Member**

FOR the purpose of altering the composition of the Carroll County Board of Education to include a certain nonvoting student member; establishing the qualifications, selection process, and term of the student member; prohibiting a certain student member from attending an executive session of the county board except under certain circumstances; making certain conforming changes; and generally relating to the selection of the student member of the Carroll County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–401  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 661 – Carroll County Senators**

AN ACT concerning

**Carroll County – Gaming**

FOR the purpose of authorizing certain organizations in Carroll County to conduct a card game, card tournament, or casino night under certain circumstances; requiring an organization to obtain a permit from the Board of License Commissioners before conducting a card game, card tournament, or casino night; requiring an organization that seeks a permit to meet certain requirements; specifying that a card game, card tournament, or casino night may be managed and organized by certain organizations; requiring an individual who participates in or helps operate a card game, card tournament, or casino night to be of a certain age; specifying that a permit holder may receive a certain maximum number of permits in a calendar year; providing a certain time limit on a card game, card tournament, or casino night; specifying that a permit is not transferable; requiring that proceeds from a card game, card tournament, or casino night be used for certain purposes and may not be

used for other purposes; specifying that the operation of a card game, card tournament, or casino night may not occur during a certain time; authorizing a permit holder under this Act to charge only a pre-set entrance fee; requiring participants in a card game, card tournament, or casino night to use tokens and not cash for wagering under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; requiring a permit holder to submit a financial report to the Sheriff's Office under certain circumstances; authorizing the Board of County Commissioners to adopt certain regulations; providing a certain penalty; defining certain terms; and generally relating to gaming in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–906  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 13–906.1  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

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

### **Senate Bill 662 – Carroll County Senators**

AN ACT concerning

#### **Carroll County – Archery Hunting – Safety Zone**

FOR the purpose of establishing for archery hunters in Carroll County a safety zone of a certain size within which archery hunting may not take place except under certain circumstances; and generally relating to archery hunting in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(g)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 663 – Carroll County Senators**

AN ACT concerning

**Carroll County – Board of Elections – Membership**

FOR the purpose of altering the number of regular members and eliminating substitute members on the Carroll County Board of Elections; requiring the members of the board to be of certain political parties; requiring that a vacancy on the board be filled in a certain manner; providing for a delayed effective date; and generally relating to the Carroll County Board of Elections.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 2–201(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2–201(l)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 664 – Carroll County Senators**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Carroll County – Carroll County Agriculture Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to extend the deadline for the Board of Directors of the Carroll County Agriculture Center, Inc. to present evidence that a certain matching fund will be provided; requiring that the Board of Public Works expend or encumber the proceeds of a certain loan by June 1, 2014; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(X)

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

**Senate Bill 665 – Carroll County Senators**

AN ACT concerning

**Carroll County – Board of Community College Trustees – Membership**

FOR the purpose of altering the number of members of the Board of Community College Trustees for Carroll County; requiring the Governor to make certain appointments to the Board for a term that begins on a certain date; and generally relating to the Board of Community College Trustees for Carroll County.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 16–101  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 16–404  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 666 – Carroll County Senators**

AN ACT concerning

**Carroll County – Property Tax Credit for Housing Units at Independent Living Retirement Communities**

FOR the purpose of authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to grant, by law, a tax credit against the county or municipal corporation property tax imposed on certain housing units at independent living retirement communities; authorizing the governing body of Carroll County or of a municipal corporation in Carroll County to provide, by law, for certain provisions necessary to carry out the tax credit; specifying that the full benefit of the tax credit be assigned to certain residents; providing for the application of this Act; defining a certain term; and generally relating to a property tax credit in Carroll County for certain housing units in certain independent living retirement communities.

BY adding to  
Article – Tax – Property  
Section 9–308(f)  
Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 667 – Senator Jones–Rodwell (By Request – Task Force on Prisoner Reentry) and Senator Frosh**

AN ACT concerning

**Criminal Records – Shielding – Nonviolent Convictions**

FOR the purpose of requiring court records and police records relating to a conviction to be shielded automatically at a certain time, depending on whether the conviction is for a misdemeanor or a felony; providing that if a certain person is convicted of a new crime during a certain time period, a certain original conviction is not eligible for shielding unless the new conviction becomes eligible for shielding; prohibiting the Maryland Judiciary Case Search from in any way referring to the existence of specific records shielded in accordance with this Act; providing that a conviction that has been shielded in accordance with this Act may not be considered a conviction for certain purposes; requiring a certain custodian to deny inspection of criminal records and police records relating to the conviction of a crime that has been shielded under this Act; providing that this Act does not apply to a conviction of a crime of violence as defined under a certain provision of law; defining certain terms; and generally relating to the shielding of court records and police records.

BY adding to

Article – Criminal Procedure

Section 10–301 through 10–305 to be under the new subtitle “Subtitle 3. Shielding”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government

Section 10–616(v)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 668 – Senators Mathias, Colburn, Middleton, and Pipkin**

AN ACT concerning

**Corporations and Associations – Electric Cooperatives – Electronic Notices and Voting**

FOR the purpose of authorizing a certain electric cooperative to provide notice of each meeting of its members by electronic transmission under certain circumstances; authorizing a certain person to waive notice of a meeting of the members of an electric cooperative by electronic transmission under certain circumstances; authorizing voting by members of an electric cooperative by electronic transmission under certain circumstances; requiring, under certain circumstances, the bylaws of an electric cooperative to establish the conditions under which voting by electronic transmission is allowed; and generally relating to electric cooperatives.

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 1–101(a) and (m)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 5–617 and 5–619  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 669 – Senator Shank**

AN ACT concerning

#### **Division of Correction – Revocation of Diminution Credits – Telecommunication Devices**

FOR the purpose of requiring the Division of Correction to revoke all of the good conduct and special projects diminution credits awarded when an inmate violates certain rules regarding a telecommunication device or knowingly possesses or receives a telecommunication device; prohibiting the Division from restoring certain revoked diminution credits; defining a certain term; and generally relating to telecommunication devices in the Division of Correction and revocation of diminution credits.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–709  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 670 – Senators Shank and Edwards**

AN ACT concerning

**Washington County – Tip Jars – Accountability and Oversight**

FOR the purpose of authorizing the County Commissioners of Washington County to require the Washington County Volunteer Fire and Rescue Association to submit certain financial reports; authorizing the county commissioners to adopt certain regulations; authorizing the county commissioners to withhold certain funds under certain circumstances; requiring the Washington County Volunteer Fire and Rescue Association to submit its budget to the county commissioners each year on or before a certain date; requiring the county commissioners to accept or reject the budget in a certain manner; expanding the authority of the county commissioners to establish certain procedures; prohibiting certain funds from being used for certain fire and rescue services; and generally relating to the use of certain tip jar gaming proceeds in Washington County.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 13–2435

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

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

**Senate Bill 671 – Senator Pugh (By Request – Task Force on Prisoner Reentry) and Senators Astle, Benson, Garagiola, Gladden, Jones–Rodwell, Kelley, Madaleno, Manno, Middleton, Muse, Ramirez, and Raskin**

AN ACT concerning

**State Personnel – Applicants for Employment – Criminal History Records Checks**

FOR the purpose of prohibiting certain appointing authorities in 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 has been provided an opportunity for an interview; providing that this Act does not prohibit certain appointing authorities from notifying an applicant for employment of certain information; providing for certain exceptions; requiring the Department of Budget and Management to make certain reports to the General Assembly; providing for the application of certain provisions of this Act; making certain provisions of this Act subject to a certain contingency; requiring the Department to take certain action under certain circumstances;

providing for the termination of certain provisions of this Act; 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 2–203

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 672 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Investment Division – Salary Setting**

FOR the purpose of authorizing the Board of Trustees of the State Retirement and Pension System to determine the qualifications, appointment, and compensation for certain employees in the Investment Division of the State Retirement Agency; specifying the positions to which the authority applies; prohibiting the Board of Trustees from setting the salary of an employee above a certain amount; prohibiting the Board of Trustees from granting bonuses under certain authority; prohibiting the Board of Trustees from increasing the salary of certain employees by more than a certain amount in a fiscal year; requiring the State Retirement Agency to submit a certain report concerning salaries in the Investment Division; providing for the termination of this Act; and generally relating to the State Retirement Agency.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–122(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 673 – Senator Getty**

AN ACT concerning

**Courts and Judicial Proceedings – Testimony by Convicted Perjurer**

FOR the purpose of establishing an exception to a certain prohibition on a person convicted of perjury testifying in a proceeding for a person whose testimony relates to events in which the person is an alleged victim; and generally relating to testimony by a convicted perjurer.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 9–104  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

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

**Senate Bill 674 – Senator Rosapepe**

EMERGENCY BILL

AN ACT concerning

**Primary and Secondary Education – Online Courses – Local Approval and Reporting Requirements**

FOR the purpose of authorizing a county board of education to procure certain online courses and services that the county board has approved as being high quality and in alignment with certain State standards; requiring a certain county board that has approved an online course to submit a certain report to the State Department of Education; making stylistic changes; making this Act an emergency measure; and generally relating to the approval of and the reporting requirements for online courses by county boards of education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–1002  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 675 – Senators Rosapepe, Colburn, Frosh, Madaleno, Montgomery, and Raskin**

AN ACT concerning

**Tuition Cap and College Opportunity Act of 2012**

FOR the purpose of requiring the Maryland Higher Education Commission to appoint a certain group to assess and report annually on meeting certain goals so that certain institutions are comparable and competitive; requiring the Commission to assess annually the State's and an institution's progress toward certain goals and to display the progress in an online format; requiring the Commission to update periodically certain information for certain purposes; requiring the State to provide certain General Fund support for the University System of Maryland and Morgan State University; requiring the State to set certain funding at certain levels as compared to a group of peer institutions in certain states; limiting the annual increase in tuition and fees that may be charged each academic year for certain students under certain circumstances; requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount of State General Fund support for the University System of Maryland and Morgan State University; requiring additional State funds to be used for certain priorities; requiring the Governor to include in the annual budget submission supplemental funding to certain institutions to be used for certain purposes; requiring performance accountability plans to include graduation rates as the primary indicator of performance for certain institutions; requiring the Board of Regents of the University System of Maryland to submit a biannual report beginning on a certain date regarding certain policies and procedures; authorizing a governing board to develop a pilot tuition plan for certain purposes, subject to certain restrictions; requiring the Commission to develop and implement a graduated scale for certain grants based on certain criteria; modifying a certain award amount for a certain scholarship program; requiring the Commission to modify certain grants based on certain criteria; declaring the intent of the General Assembly; requiring certain reports to be submitted to the General Assembly on or before certain dates; defining certain terms; and generally relating to State support for higher education institutions and tuition at those institutions in Maryland.

BY repealing and reenacting, without amendments,

Article – Education

Section 10–203(a) and 15–106.6(b)(1) and (c)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 11–105(f)(1) and (h), 11–305, 15–106.6(c)(2), and 18–304(a) and (b)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 11–108, 12–117, and 15–106.9

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 676 – Senator Rosapepe**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Laurel Boys and Girls Club Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the 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 Budget and Taxation.

**Senate Bill 677 – Senator Rosapepe**

AN ACT concerning

**Public Service Commission – Solar Water Heating Systems and Billing Services – Prince George’s County**

FOR the purpose of requiring a person to be licensed by the Public Service Commission to engage in the business of providing solar water heating services as a solar water heating utility provider in Prince George’s County; establishing certain application and other requirements for becoming a provider; requiring the Commission to determine other requirements under certain circumstances; authorizing a certain provider to request a solar water heating utility biller to provide certain billing services under certain circumstances; requiring a certain biller to provide billing services under certain circumstances; providing that a certain biller is entitled to a certain fee; providing that a certain biller is not responsible for certain losses; requiring a certain biller to apply certain funds in a certain manner; requiring the Commission to adopt certain regulations or issue a certain order; defining certain terms; providing for the application of this Act; and generally relating to billing services for solar water heating systems in Prince George’s County.

BY adding to

Article – Public Utilities

Section 7–801 through 7–806 to be under the new subtitle “Subtitle 8. Solar Water Heating Systems – Prince George’s County”

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 678 – Senator Forehand**

AN ACT concerning

**Criminal Procedure – Expungement of Criminal Charge Transferred to Juvenile Court**

FOR the purpose of altering provisions relating to the expungement of certain criminal records by 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; repealing a certain obsolete definition; and generally relating to the expungement of certain criminal charges transferred to the juvenile court.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 4–202 and 4–202.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 10–106  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 679 – Senator Forehand**

AN ACT concerning

**General Assembly – Fiscal Notes – Criminal Justice Policy Impact Statements**

FOR the purpose of requiring a fiscal note for a bill to include a criminal justice policy impact statement under certain circumstances; requiring the criminal justice policy impact statement to contain certain information; requiring the Department of Legislative Services to prepare the criminal justice policy impact statement by requesting certain information from certain entities; prohibiting certain entities from being required to prepare certain information for inclusion in the criminal justice policy impact statement; and generally relating to criminal justice policy impact statements in fiscal notes.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–1505(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 680 – Chair, Finance Committee (By Request – Departmental – Budget and Management)**

AN ACT concerning

**State Personnel Management System – Criminal History Records Check**

FOR the purpose of authorizing certain appointing authorities in the State Personnel Management System to request from the Criminal Justice Information System Central Repository State and national criminal history records checks for certain prospective and current employees; establishing certain procedures to apply for a criminal history records check; requiring the Central Repository to forward criminal history record information to the current or prospective employee under certain circumstances; providing that certain information is confidential and may be used only for certain purposes; authorizing a person who is the subject of a criminal history records check under this Act to contest certain information in the record; authorizing the Secretary of Budget and Management to adopt certain regulations, guidelines, and policies to implement this Act; defining a certain term; and generally relating to State and national criminal history records checks for certain prospective and current employees in the State Personnel Management System.

BY adding to  
Article – State Personnel and Pensions  
Section 7–103  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

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

**Senate Bill 681 – Senators Madaleno, Currie, King, Manno, Peters, and Raskin**

AN ACT concerning

**Creation of a State Debt – Food and Friends, Inc.**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$155,000, the proceeds to be used as a grant to the Board of Directors of Food and Friends, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 682 – Senator Ramirez**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – EzStorage Studios**

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 Gateway Municipalities Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 683 – Senator Ramirez**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Gateway Arts Center at Brentwood**

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 Gateway Municipalities Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 684 – Senator Ramirez**

AN ACT concerning

**Real Property – Maryland Contract Lien Act – Foreclosures**

FOR the purpose of providing that a lien under the Maryland Contract Lien Act may be enforced and foreclosed by the party who obtained the lien in the same manner, and subject to the same requirements, as the foreclosure of certain mortgages or deeds of trust on nonresidential property in this State; and generally relating to foreclosures under the Maryland Contract Lien Act.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–204  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 685 – Senator Ramirez**

AN ACT concerning

**Real Property – Condominiums – Payment of Assessments and Fees**

FOR the purpose of authorizing a council of unit owners to petition the District Court for relief if a unit owner has failed to pay assessments and fees for a unit for a certain period of time and is renting the unit to a tenant; requiring a certified copy of the petition to be mailed to the unit owner and served on the tenant under certain circumstances; authorizing the District Court to enter an order directing the tenant to pay rent due under the lease to certain persons under certain circumstances; requiring the District Court to order certain persons to apply rent payments received to the payment of certain assessments and fees under certain circumstances; prohibiting a unit owner from taking any action for failure to pay rent against a tenant under certain circumstances; and generally relating to the payment of assessments and fees in condominiums.

BY adding to  
Article – Real Property  
Section 11–110.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 686 – Senators Ramirez and Rosapepe**

AN ACT concerning

**Real Property – Condominiums – Delinquency in Payments for Utilities**

FOR the purpose of authorizing a council of unit owners to petition a court to take certain actions against a unit owner who is delinquent in payments to the council of unit owners from which utility bills are paid by the council of unit owners under certain circumstances; defining a certain term; and generally relating to delinquency in payments for utilities in condominiums.

BY adding to

Article – Real Property

Section 11–108.2

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 687 – Senator Madaleno**

AN ACT concerning

**Higher Education – Academic Program Action – Repeal of Application Fees**

FOR the purpose of repealing the authority of the Maryland Higher Education Commission to impose certain application fees; and generally relating to application fees for approval of academic program actions taken by certain institutions of higher education.

BY repealing and reenacting, without amendments,

Article – Education

Section 11–105(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 11–105(o)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 688 – Senator Madaleno**

AN ACT concerning

**Street Lighting – Purchase of Equipment by Local Government and Tariffs**

FOR the purpose of requiring a local government to pay a certain electric company the fair market value of certain street lighting equipment as determined by an agreement between the local government and the electric company or as determined in a condemnation proceeding under certain circumstances; authorizing a local government to include all street lighting equipment that the local government seeks to acquire in its jurisdiction that is owned by one electric company in a single petition of condemnation under certain circumstances; requiring a jury in a certain condemnation proceeding to consider certain factors in determining fair market value of street lighting equipment under certain circumstances; requiring the Public Service Commission to require each electric company to develop one or more tariffs for certain street lighting; requiring certain tariffs to include certain pole attachment fees, agreements, or services under certain circumstances; and generally relating to the acquisition of street lighting equipment by a local government from an electric company and tariffs for street lighting.

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 5–101  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Public Utilities  
Section 4–210  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

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

**Senate Bill 689 – Senator Shank**

AN ACT concerning

**Education – Maryland Advisory Council for Virtual Learning – Establishment**

FOR the purpose of establishing the Maryland Advisory Council for Virtual Learning within the Department of Education; requiring the Department to provide staff for the Council; establishing the mission of the Council; identifying the membership of the Council; establishing the membership term; requiring the State Superintendent or the Governor to appoint a member in the event of a vacancy; requiring the Council members to elect the Council chair; prohibiting a member from receiving compensation except under certain circumstances; establishing a quorum of the Council; requiring the Council to meet for a certain

number of times; establishing the responsibilities of the Council; requiring the Council to submit a certain report by a certain time; defining a certain term; and generally relating to the Maryland Advisory Council for Virtual Learning.

BY adding to

Article – Education

Section 7–10B–01 through 7–10B–06 to be under the new subtitle “Subtitle 10B. Maryland Advisory Council for Virtual Learning”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 690 – Senator Shank**

AN ACT concerning

#### **Criminal Procedure – Pretrial Release – Restrictions**

FOR the purpose of prohibiting a District Court commissioner from authorizing the pretrial release of a defendant who is charged with certain crimes; providing that a judge may authorize the pretrial release of a certain defendant on certain conditions and cash bail, a corporate surety bond, or a certain property bond; creating a rebuttable presumption that a certain defendant will flee and pose a danger to another person or the community; and generally relating to pretrial release and restrictions on pretrial release.

BY adding to

Article – Criminal Procedure

Section 5–202(j)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 691 – Senator Shank**

AN ACT concerning

#### **Earned Compliance Credit and Reinvestment Act of 2012**

FOR the purpose of requiring the Department of Public Safety and Correctional Services to establish a program to implement certain earned compliance credits, which create a certain reduction in a certain period of active supervision for certain individuals and develop policies and procedures for the implementation of the program; requiring the Maryland Parole Commission or the court to

adjust a period of supervision for an individual placed on probation by the court or serving a period of parole or mandatory release supervision from a correctional facility under certain circumstances; requiring a supervised individual whose period of active supervision has been completely reduced by earned compliance credits to be placed on abatement for a certain amount of time, with certain exceptions; authorizing a court to place a supervised individual on active supervision if the supervised individual commits a violation of probation while on abatement; requiring that a certain percentage of the savings realized by the Department as a result of the application of earned compliance credits revert to the Department; providing for the construction of this Act; defining certain terms; providing for a delayed effective date; and generally relating to parole and probation and earned compliance credits.

BY adding to

Article – Correctional Services

Section 6–117

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 692 – Senators Pipkin, Colburn, Getty, Glassman, Jacobs, Kittleman, and Shank**

AN ACT concerning

**Environment – County Plans – Authority**

FOR the purpose of repealing the authority of the Department of the Environment to order a person to prepare and submit certain subdivision plans and specifications under certain circumstances; repealing the Department's authority to order the installation of certain water supply or sewerage systems for subdivisions under certain circumstances; repealing a requirement that a certain county plan be approved by the Department; requiring a county to review a certain county plan in accordance with a schedule set by the county instead of the Department; repealing a requirement that a county governing body submit a revision or amendment to a certain county plan to the Department; repealing a requirement that a county adopt a revision or amendment to a certain county plan if the Department requires the revision or amendment; repealing the Department's authority to approve, disapprove, or modify certain plans, revisions, or amendments; repealing a requirement that the Department submit certain plans, revisions, or amendments to the Department of Natural Resources, the Department of Planning, and the Department of Agriculture under certain circumstances; repealing a requirement that the Secretary of the Environment give certain notices under certain circumstances; repealing the authority of the Department of the Environment to specify certain locations for certain facilities under certain

circumstances; requiring a certain financial management plan to be approved by a county instead of the Department; authorizing a county, instead of the Department, to file a certain civil action under certain circumstances; repealing a certain term; and generally relating to the authority of the Department of the Environment and county water and sewer planning.

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–206, 9–501, 9–503, 9–510, 9–521(c), and 9–1703(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing

Article – Environment

Section 9–507 and 9–508

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 693 – Senators Pipkin, Brinkley, Colburn, and Getty**

AN ACT concerning

**Maryland Transportation Authority – Termination – Exchange of Bonds**

FOR the purpose of terminating the Maryland Transportation Authority; transferring, subject to certain exceptions, all functions, powers, duties, responsibilities, regulations, policies, property, equipment, assets, liabilities, and employees of the Authority to the Maryland Department of Transportation on a certain date; requiring the State to issue revenue refunding bonds in exchange for revenue bonds issued by the Authority before a certain date; requiring revenue refunding bonds to be secured by tolls or other charges for the use of transportation facilities projects; requiring the Department to fix, revise, charge, and collect tolls and other charges for the use of transportation facilities projects in an amount not greater than is necessary to pay the principal of and interest on refunding bonds issued by the State under this Act as they become due and payable; prohibiting the Department from fixing, revising, charging, or collecting tolls or other charges unless the toll or other charge is approved by the General Assembly through legislation enacted into law; providing for the appointment, classification, and benefits of employees transferred from the Authority to the Department under this Act; providing that all contracts and agreements entered into by the Authority before a certain date are valid and binding on the Department; requiring the publishers of the Annotated Code of Maryland to correct any references that are rendered incorrect by this Act;

defining certain terms; and generally relating to the termination of the Authority and the exchange of bonds issued by the Authority.

BY repealing

Article – Transportation

Section 4–101 through 4–406 and the title “Title 4. Revenue Facilities”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 694 – Senators Pipkin and Colburn**

AN ACT concerning

#### **State Government – Executive Order – Definition**

FOR the purpose of altering the definition of “executive order” to remove from the definition an order or an amendment or a rescission of an order that adopts certain guidelines, rules of conduct, or rules of procedure for certain persons; and generally relating to the definition of “executive order”.

BY repealing and reenacting, with amendments,

Article – State Government

Section 3–401

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

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

### **Senate Bill 695 – Senators Pipkin, Colburn, Glassman, and Jacobs**

AN ACT concerning

#### **Environment – Watershed Implementation Plan – Conowingo Dam Environmental Assessment**

FOR the purpose of prohibiting a person from engaging in an activity or strategy to implement a State Watershed Implementation Plan until the State completes a full assessment of the environmental impacts of opening the Conowingo Dam floodgates in a certain month following Hurricane Irene and Tropical Storm Lee; defining certain terms; and generally relating to implementation of a State Watershed Implementation Plan.

BY adding to

Article – Environment

Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8.  
Implementation of the Chesapeake Bay Total Maximum Daily Load”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

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

**Senate Bill 696 – Senators Pipkin, Brinkley, Colburn, and Getty**

AN ACT concerning

**Transportation – Transit Authorities – Red Line and Purple Line**

FOR the purpose of establishing the Red Line Transit Authority and the Purple Line Transit Authority to finance, construct, and operate the Red Line and the Purple Line light rail transit lines; providing for the members, appointments, terms, chairs, and staff of the Authorities; prohibiting the Department of Transportation from exercising jurisdiction or authority over the Red Line and the Purple Line light rail transit lines; authorizing the Authorities to take certain actions in the performance of their duties; authorizing the Authorities to tax to the same extent as the State within certain districts for the purpose of financing the Red Line and the Purple Line transit facilities and transit service; authorizing the Authorities to provide for the collection of any tax and to grant exemptions from any tax; authorizing the Authorities to issue revenue bonds payable from certain fees, fares, and taxes for the purpose of financing transit facilities; providing that bonds issued by the Authorities do not constitute a debt or pledge of the full faith and credit of certain entities; providing that bonds issued by the Authorities do not obligate certain entities to impose any tax; requiring the Authorities to determine certain matters concerning bonds they issue; providing for the issuance and execution of the bonds; authorizing the Authorities to issue bonds to refinance the cost of transit facilities; authorizing the Authorities to issue revenue refunding bonds for certain purposes; authorizing the Authorities to issue interim certificates or temporary bonds; authorizing the Authorities to issue bond anticipation notes; authorizing revenue bonds issued by the Authorities to be secured by certain trust agreements; requiring certain fees, fares, and taxes designated by the Authorities as security for bonds to be adjusted in a certain manner; requiring that certain revenues of the Authorities shall be deemed to be trust funds to be used only in a certain manner; authorizing the trustee or a holder of revenue bonds issued by the Authorities to bring a legal action to enforce certain rights and compel the performance of certain duties; providing that bonds issued by the Authorities are securities in which certain persons may invest and that may be deposited with certain persons; exempting revenue bonds issued by the Authorities from taxation; defining certain terms; and generally relating to the

creation of the Red Line Transit Authority and the Purple Line Transit Authority to finance, construct, and operate certain transit lines.

BY adding to

Article – Transportation

Section 9–101 through 9–413 to be under the new title “Title 9. Regional Transit Authorities”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 697 – Senators Pipkin, Brinkley, Getty, and Shank**

AN ACT concerning

**Department of Transportation – Office of the Inspector General**

FOR the purpose of establishing the Office of the Inspector General in the State Department of Transportation; providing for the authority, duties, and powers of the Office; specifying that the Inspector General be hired and appointed by the Office of the Attorney General and be subject to the authority of the Office of the Attorney General and the Department of Transportation; and generally relating to the Office of the Inspector General in the State Department of Transportation.

BY adding to

Article – Transportation

Section 2–501 through 2–504 and the new subtitle “Subtitle 5. Office of the Inspector General”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 698 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman, and Jacobs**

AN ACT concerning

**Maryland Transit Administration – Farebox Recovery**

FOR the purpose of requiring the Maryland Transit Administration to separately recover from fares and other operating revenues the total operating and capital costs for certain bus, light rail, and subway services and certain passenger

railroad services; and generally relating to the farebox recovery of the costs of certain services provided by the Maryland Transit Administration.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–208(a) and (b–1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 7–208(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 699 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman,  
Jacobs, and Shank**

AN ACT concerning

**Maryland Transit Administration – Farebox Recovery Rate Increase**

FOR the purpose of altering certain requirements for the percentage of operating costs for certain public transit services that must be recovered by the Maryland Transit Administration from certain revenues; and generally relating to certain requirements for recovery of certain operating costs of certain public transit services from certain revenues.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 7–208(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 700 – Senators Pipkin and Colburn**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Office of the Inspector General – Establishment**

FOR the purpose of establishing the office of the Inspector General; providing for the term of the office; specifying eligibility qualifications that an individual must meet for the office; requiring that the Inspector General receive a certain salary; specifying the term of office; providing that an individual who has served as Inspector General for a certain number of terms is ineligible for reelection for a certain period; providing that the Inspector General is subject to removal by the General Assembly under certain circumstances; authorizing the General Assembly to provide by law for the impeachment of the Inspector General; requiring that a certain process for impeachment be consistent with a certain provision of the Maryland Constitution; specifying the method to be used for filling a vacancy in the office of Inspector General; prohibiting an individual who has held the office of Inspector General from being a candidate in a certain election for a certain time period after leaving office; specifying the duties and powers of the Inspector General; 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 – Inspector General  
Section 1 through 6

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 701 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman, Jacobs, Kittleman, and Shank**

AN ACT concerning

**State Development Plan – Restriction on Use**

FOR the purpose of providing that the State Development Plan may be used in the determination of State funding decisions but may not be used to create or establish a new cause for the denial of a project, a permit, or an approval by the State; and generally relating to restrictions on the use of the State Development Plan.

BY adding to  
Article – State Finance and Procurement  
Section 5–606  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 702 – Senators Pipkin and Colburn**

AN ACT concerning

**Public Utilities – Susquehanna River – Dam Floodgates**

FOR the purpose of requiring that the Public Service Commission order all owners of dams located on the Susquehanna River to keep the dam's floodgates open at all times; and generally relating to dams on the Susquehanna River.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 2–113  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities  
Section 5–107  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 703 – Senators Pipkin, Brinkley, Colburn, Glassman, Jacobs, and Shank**

AN ACT concerning

**Maryland Estate Tax and Inheritance Tax – Repeal**

FOR the purpose of repealing the inheritance tax and the Maryland estate tax related to decedents dying on or after a certain date; providing that the Comptroller retains certain authority relating to the inheritance tax and the Maryland estate tax related to decedents dying before a certain date; providing for the application of this Act; and generally relating to the repeal of the inheritance tax and the Maryland estate tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–202 and 7–302  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 704 – Senators Pipkin and Colburn**

AN ACT concerning

**State Government – Inspector General**

FOR the purpose of specifying that there is an Inspector General of the State; specifying the Inspector General's annual salary; providing that the Inspector General is entitled to certain reimbursement; establishing the Office of the Inspector General; authorizing the Inspector General to have certain offices and employ certain staff; requiring certain staff to perform certain duties and to carry certain identification; specifying that certain staff serve at the pleasure of the Inspector General and are entitled to certain compensation and reimbursement; authorizing the Inspector General to designate a certain Chief Deputy Inspector General and certain other deputy inspectors general; requiring the Chief Deputy Inspector General to serve as acting Inspector General for a certain period under certain circumstances; authorizing the Inspector General to adopt certain regulations and assist in a certain investigation or conduct a joint investigation with certain entities; requiring the Inspector General to develop a certain operations manual, make the operations manual available to the public, and provide certain training; requiring the Inspector General to examine and investigate the management and affairs of units and conduct audits of the units; authorizing the Inspector General to investigate certain matters; requiring the Inspector General periodically to review certain policies and procedures and make certain recommendations; requiring the Inspector General to receive certain complaints and establish a certain hotline number and Web site; requiring the Inspector General to take certain action when the Inspector General receives a complaint or discovers certain evidence; requiring that a unit cooperate fully with the Inspector General under certain circumstances; requiring that the Inspector General have access to certain documents of a unit under certain circumstances; authorizing the Inspector General, or the Inspector General's designee, to take certain action in the performance of certain duties; specifying the process under which the Inspector General is authorized to issue a subpoena or subpoena duces tecum; authorizing a subpoena to be served by certain methods; authorizing a certain judge to take certain action if a person refuses to obey a certain subpoena; providing that, under certain circumstances, certain records are confidential and not subject to disclosure under a certain provision of law until a certain report is issued; requiring the Inspector General, at the end of each fiscal year, to submit a certain annual report to the Governor and the General Assembly; requiring the Inspector General to issue a certain final report; requiring that the final report be submitted to the Governor and the General Assembly and be posted on a certain Web site; requiring that the Inspector General, except under certain circumstances, provide a certain unit an opportunity to respond to a certain report; authorizing certain special elections be held to fill a certain vacancy; requiring that certain special elections be held at a time specified in a certain provision of this Act; requiring the State Board of Elections to determine the dates that certain elections are to be held; requiring that a certain primary election be held at least a certain number of days after a certain vacancy occurs; requiring that a certain general election be held at least a certain number of days after a certain primary election is held; making this

Act contingent on the passage and ratification of a certain constitutional amendment; defining certain terms; and generally relating to the Inspector General.

BY adding to

Article – State Government

Section 7.5–101 through 7.5–112 to be under the new title “Title 7.5. Inspector General”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 8–401

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Election Law

Section 8–402

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 705 – Senators Pipkin and Colburn**

AN ACT concerning

#### **Public Utilities – Hydroelectric Generating Station – Nutrient Filtration**

FOR the purpose of prohibiting a person from opening the flood control gates of a certain hydroelectric generating station unless the hydroelectric generating station utilizes a filtration system to capture certain excess nutrients from the water that flows from the Susquehanna River into the Chesapeake Bay; defining a certain term; and generally relating to nutrient filtration at a hydroelectric generating station in the State.

BY adding to

Article – Public Utilities

Section 7–214

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 706 – Senators Pipkin and Colburn**

AN ACT concerning

**Commercial Fishing and Seafood Operations – Nuisance Actions – Exemption**

FOR the purpose of expanding the application of certain provisions of law relating to the protection of agricultural operations from certain actions under certain circumstances to apply to certain commercial fishing and seafood operations; exempting certain commercial fishing and seafood operations from nuisance lawsuits; authorizing an appeal of a certain decision on a nuisance complaint against a commercial fishing or seafood operation to a circuit court in a certain manner; defining a certain term; altering the definition of a certain term; and generally relating to nuisance actions against commercial fishing or seafood operations.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–403  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 707 – Senator Miller**

AN ACT concerning

**Creation of a State Debt – Calvert County – End Hunger Kitchen**

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 End Hunger In Calvert County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 708 – Senator Montgomery**

AN ACT concerning

**County Boards of Education – Green Product Cleaning Supplies – Written Policies**

FOR the purpose of requiring a county board of education to adopt certain written policies relating to the procurement of green product cleaning supplies subject to certain exceptions; requiring certain county boards to provide certain notice to the State Department of Education under certain circumstances; and generally relating to the establishment of written policies relating to the procurement of green product cleaning supplies by county boards of education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–112  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 709 – Senator Zirkin**

AN ACT concerning

**Family Law – Grounds for Divorce**

FOR the purpose of altering a certain ground for limited divorce by authorizing a court to grant a limited divorce on the ground of a voluntary separation if there is no reasonable expectation of reconciliation; repealing as a prerequisite to the granting of a limited divorce on the ground of a voluntary separation the requirement that the parties are living separate and apart without cohabitation; altering a certain ground for absolute divorce by authorizing a court to grant an absolute divorce on the ground of a 12–month separation if there is no reasonable expectation of reconciliation; repealing as a prerequisite to the granting of an absolute divorce on the ground of a 12–month separation the requirement that the parties have lived separate and apart without cohabitation for a certain period of time; and generally relating to grounds for divorce.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–102(a) and 7–103(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 710 – Senator Forehand**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Gaithersburg Upcounty Senior Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the purpose of a certain grant for the Gaithersburg Upcounty Senior Center; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2008.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA01(BJ)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 711 – Senator Forehand**

AN ACT concerning

**Maryland General and Limited Power of Attorney Act**

FOR the purpose of specifying requirements to establish the legal sufficiency of certain statutory forms for a power of attorney; requiring certain coagents to act together unanimously unless otherwise provided in a power of attorney; providing for the designation of coagents in certain statutory forms for a power of attorney; altering certain provisions in certain statutory forms for a power of attorney relating to authority to create or change a beneficiary designation in certain retirement plans and to nominate a person for appointment as a guardian of property or a guardian of the person; and generally relating to the Maryland General and Limited Power of Attorney Act.

BY repealing and reenacting, without amendments,  
Article – Estates and Trusts  
Section 17–101(a) and (g)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 17–108(d), 17–201, 17–202, and 17–203  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 712 – Senators Kittleman, Brinkley, and Colburn**

AN ACT concerning

**Procurement – Prevailing Wage – School Construction**

FOR the purpose of increasing to a certain amount the percentage of State money that must be used in an elementary or a secondary school construction project before the Prevailing Wage Law applies; altering certain definitions; and generally relating to the application of the Prevailing Wage Law to elementary or secondary school construction.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–201(a), 17–210(a) and (c), and 17–214  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–201(i) and (j)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 713 – Senators Kittleman, Brinkley, and Colburn**

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 and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 714 – Senators Kittleman, Colburn, Klausmeier, Middleton, and Stone**

AN ACT concerning

**Motor Vehicles – Registration Plates – “Home of Our National Anthem”**

FOR the purpose of requiring that certain registration plates for a vehicle display the words “Home of Our National Anthem”; providing for the application of this Act; and generally relating to requirements for registration plates.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–410(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 715 – Senators Kittleman, Colburn, and Simonaire**

AN ACT concerning

**Labor and Employment – Right to Work**

FOR the purpose of prohibiting an employer from refusing to employ or continue employing an individual based on membership or nonmembership in a labor organization; prohibiting an employer from requiring an individual to refrain from joining or from requiring an individual to become a member of a labor organization; prohibiting an employer from requiring an individual to pay certain charges to a labor organization; providing a civil cause of action for an individual who is denied employment, required to refrain from joining or required to become a member of a labor organization, or required to pay dues, fees, or other charges to a labor organization in violation of this Act; authorizing the recovery of certain damages and costs; authorizing the Attorney General to bring a certain civil action; providing that certain provisions of this Act do not

affect certain remedies or rights; establishing the purpose of this Act; defining the term “employer” for purposes of this Act; providing for the application of this Act; and generally relating to the rights of individuals, employee organizations, and employers.

BY adding to

Article – Labor and Employment

Section 4–701 through 4–706 to be under the new subtitle “Subtitle 7. Right to Work”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 716 – Senators Kittleman and Colburn**

AN ACT concerning

#### **Procurement – Required Clauses – Project Labor Agreement Prohibition**

FOR the purpose of requiring State procurement contracts to include a clause prohibiting certain parties from participating in certain project labor agreements; and generally relating to project labor agreements and State procurement contracts.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 13–218

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 717 – Senator Kittleman**

AN ACT concerning

#### **Public Ethics Laws – Meals – Regulated Lobbyist Reporting Requirements**

FOR the purpose of requiring a regulated lobbyist that invites certain members of the General Assembly to a meal during the legislative session to file a certain report with the State Ethics Commission by a certain date each year disclosing the names of certain members of the General Assembly who consumed food and beverages at the meal; providing for the contents of the report; and generally relating to regulated lobbyist reporting requirements.

BY repealing and reenacting, without amendments,

Article – State Government  
Section 15–102(a) and (w) and 15–708  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–704  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 718 – Senators Kittleman, Brinkley, and Colburn**

AN ACT concerning

**Procurement – Prevailing Wage Rate Law – Repeal**

FOR the purpose of repealing provisions of law regarding prevailing wage rates for public work contracts; repealing provisions limiting the application of the prevailing wage rates to a public work contract above a certain amount or a part of a public work contract that is required to comply with the prevailing wage rate determined by the United States Secretary of Labor; repealing the provisions of law regarding the Advisory Council on Prevailing Wage Rates in the Division of Labor and Industry in the Department of Labor, Licensing, and Regulation; repealing the provision of law that requires a contractor or subcontractor under a public work contract to employ only certain workers and apprentices; repealing the provision of law that prohibits a contractor or subcontractor under a public work contract from employing certain helpers and trainees; repealing the provision of law that authorizes a contractor or subcontractor under a public work contract to refuse to employ a certain worker that is a resident of another state under certain circumstances; repealing the requirement that the Commissioner of Labor and Industry adopt prevailing wage rates for straight time and overtime for each classification of worker engaged in work of the same or similar character; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct certain cross-references and terminology rendered incorrect by this Act; and generally relating to repeal of the prevailing wage rate law.

BY repealing  
Article – State Finance and Procurement  
Section 17–201 through 17–205, 17–208 through 17–216, and 17–219 through 17–226 and the subtitle “Subtitle 2. Prevailing Wage Rates – Public Work Contracts”

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 719 – Senator Zirkin**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Owings Mills High School Stadium**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$100,000, the proceeds to be used as a grant to the President of the Owings Mills Sports Boosters, Inc. c/o Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 720 – Senator Zirkin (By Request – Task Force on Prisoner Reentry) and Senator Jones–Rodwell**

AN ACT concerning

**Child Support – Incarcerated Obligor – Suspension of Payments and Accrual of Arrearages**

FOR the purpose of establishing that child support payments are not past due and arrearages may not accrue during any period when the obligor is incarcerated and for a certain period after the obligor's release from confinement under certain circumstances; authorizing the Child Support Enforcement Administration to adjust an incarcerated obligor's payment account in certain cases to reflect the suspension of the accrual of arrearages under this Act; requiring the Administration to send a certain notice to the obligee before making an adjustment; defining certain terms; and generally relating to the child support obligations of incarcerated obligors.

BY adding to

Article – Family Law

Section 12–104.1

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 721 – Senator Zirkin**

AN ACT concerning

**Task Force on Climate Control in Public Schools in Baltimore County**

FOR the purpose of establishing the Task Force on Climate Control in Public Schools in Baltimore County; providing for the composition, chairs, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Baltimore County Senate Delegation, the Baltimore County House Delegation, the Baltimore County Board of Education, the Board of Public Works, the Interagency Committee on School Construction, and the Baltimore County Executive on or before a certain date; defining a certain term; providing for the termination of this Act; and generally relating to the Task Force on Climate Control in Public Schools in Baltimore County.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 722 – Senator Zirkin**

AN ACT concerning

**Maryland Trust Act**

FOR the purpose of repealing and revising certain provisions of law relating to trusts; providing that this Act may be cited as the Maryland Trust Act; providing for the scope of this Act; providing for the construction of this Act; providing for the designation of the principal place of administration for a trust; establishing a standard for whether notice to a person under this Act must be accomplished and how notice may be waived; authorizing certain nonjudicial settlement agreements with respect to a trust matter; providing for the role of a court in the administration of a trust; providing that a certain trustee and the beneficiaries of a trust are subject to the jurisdiction of the courts of this State under certain circumstances; establishing standards for judicial review of the discretion of a trustee; providing for the consent of a person that may represent and bind another person under this Act; providing that the holder of a certain qualified power of appointment may represent and bind a certain person; providing that a certain person may represent a certain other person with respect to a particular question or dispute; establishing that certain persons may be represented by another person having substantially identical interests, in certain circumstances; authorizing a court to appoint a representative for a certain interest in certain circumstances; providing methods and requirements

for creating a trust under this Act; establishing the method by which a trust for care of an animal may be created; providing certain rules for a certain noncharitable trust; providing for the modification or termination of a trust; authorizing a court to reform the terms of a certain trust; authorizing a court to modify the terms of a trust in a certain manner; authorizing a trustee to combine or divide a certain trust; authorizing a court to authorize a creditor or assignee of a beneficiary to reach a certain beneficiary's interest by attachment of certain distributions; establishing the rights of a certain beneficiary and a certain creditor to a trust interest that is subject to a discretionary distribution provision; providing that certain actions may not be taken with respect to a beneficial interest that is subject to a support provision; providing for the treatment of a spendthrift provision in a trust; authorizing a court to authorize a creditor or assignee of the beneficiary to attach certain distributions in certain circumstances; providing for circumstances to create a certain general power of appointment or a power of withdrawal; establishing rules for the claim of a certain creditor; establishing that trust property is not subject to certain personal obligations of the trustee; prohibiting a creditor from taking certain actions to compel a certain distribution; providing for the transfer to trust of property held by tenants by the entirety; establishing the capacity of a settlor of a revocable trust to take certain actions; providing the manner by which the settlor may revoke or amend a revocable trust; establishing the rights of certain beneficiaries; establishing when a person must commence a judicial proceeding to contest the validity of a certain trust; establishing the method by which a person designated as trustee accepts or rejects the trusteeship; requiring a trustee to give a certain bond under certain circumstances; authorizing cotrustees who are unable to reach an unanimous decision to act by majority decision in certain circumstances; providing for circumstances in which a vacancy occurs in a cotrusteeship; authorizing a trustee to resign in certain circumstances; providing grounds for the removal of a trustee; establishing the duties and powers of a trustee who has resigned or been removed; providing that certain trustees are entitled to certain commissions and certain reimbursements; authorizing certain persons to exercise certain trust and fiduciary powers; prohibiting a certain person from serving as a trustee in certain circumstances; requiring a certain trustee to perform certain duties; authorizing a trustee to delegate certain duties and powers in certain circumstances; authorizing a certain trustee to follow a certain direction of the settlor; establishing that certain persons shall be considered advisers and fiduciaries in certain circumstances; requiring a certain trustee to act in accordance with the directions of a certain adviser in certain circumstances; providing that a certain trustee does not have certain liabilities and duties; providing that a certain adviser has the power to perform certain actions; requiring a trustee to take certain steps to take control of and protect the trust property, with a certain exception; requiring the trustee to do certain record keeping and to keep certain property in a certain manner; requiring a trustee to take certain steps in certain circumstances; requiring the trustee to respond promptly to a certain request for information; requiring a trustee to send a certain report to certain persons; prohibiting a trustee from exercising certain

powers; authorizing a trustee to exercise certain powers in certain circumstances; providing for damages for which a certain trustee is or is not liable; authorizing a court to award costs and expenses in a certain judicial proceeding; prohibiting a beneficiary from commencing a certain proceeding; providing that a certain trustee is not liable to a certain beneficiary; providing that a certain trustee is not liable for a certain loss; providing that a certain term of a trust is unenforceable in certain circumstances; providing for the effect of an exculpatory term in a trust; providing for the liability of a trustee for breach of trust in certain circumstances; establishing limitations of personal liability of the trustee in certain circumstances; authorizing a trustee to furnish a certification of trust in certain circumstances; providing that the provisions of this Act relating to the use of electronic records and signatures conform to a certain federal statute; providing for the severability of provisions in this Act if held invalid; providing for the application of this Act to certain trusts and judicial proceedings; defining certain terms; and generally relating to trusts.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 11–102(b)(12)

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY repealing

Article – Estates and Trusts

Section 14–101 through 14–113 and the subtitle “Subtitle 1. General Provisions”

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY adding to

Article – Estates and Trusts

Section 14.5–101 through 14.5–1003 to be under the new title “Title 14.5.  
Maryland Trust Act”

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 3–506(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 723 – Senator Kelley**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Turf Field Security Investment**

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 County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 724 – Senator Kelley**

AN ACT concerning

**Title Insurance – Closing or Settlement Protection**

FOR the purpose of requiring certain domestic title insurers to establish and maintain a certain reserve for certain losses arising from closing or settlement protection; authorizing the amount in reserve to be released in certain amounts under certain circumstances; authorizing a domestic title insurer to withdraw the entire reserve under certain circumstances; requiring a certain notice to include certain information about certain closing or settlement protection; authorizing a method to cure a certain failure to obtain a certain notice; requiring a title insurer to provide certain closing or settlement protection to a certain protected party in a certain transaction; requiring the closing or settlement protection to indemnify certain persons against certain actions and failures in connection with certain transactions; limiting the extent of a certain indemnification; prohibiting the indemnification from being provided for certain losses or impairments; requiring certain title insurers to file for approval by the Maryland Insurance Commissioner of a certain premium; establishing a minimum amount of the premium; providing that the premium may not be subject to a certain agreement; authorizing a title insurer to provide a certain statement of coverage; prohibiting a title insurer from providing certain other coverage for a certain indemnification; requiring certain title insurers to file a certain initial premium on or before a certain date; providing for the application of this Act; providing for the effective dates of this Act; and generally relating to title insurance protection.

BY adding to

Article – Insurance  
Section 5–207 and 22–104  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 22–102  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 725 – Senator Kelley**

AN ACT concerning

**Residential Condominiums – Governing Documents – Claims Provisions**

FOR the purpose of making unenforceable a provision of a declaration, bylaw, contract for sale of a unit, or other instrument made by a developer in accordance with certain provisions of law that purports to shorten the statute of limitations applicable to certain claims, purports to waive the application of a certain rule or other accrual date applicable to certain claims, operates to prevent a unit owner or the council of unit owners from asserting a certain claim in a certain manner within the applicable statute of limitations, or requires a unit owner or the council of unit owners to assert a certain claim within a certain period of time under certain circumstances; making unenforceable a provision of a declaration, bylaw, contract for sale of a unit, or other instrument made by a developer in accordance with certain provisions of law that requires a certain vote of unit owners as a precondition to the institution or maintenance of certain proceedings unless the council of unit owners adopts the provision under certain circumstances; providing for the applicability of this Act; and generally relating to claims provisions in the governing documents of a residential condominium.

BY adding to

Article – Real Property  
Section 11–134.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 726 – Senator Muse**

AN ACT concerning

**Consumer Protection – Maryland Consumer Protection Act – Scope and Penalties**

FOR the purpose of altering the definition of “consumer” under the Maryland Consumer Protection Act to include a nonprofit organization that contracts to

rent or lease a thing or good of value that will provide consumer goods or consumer services for the benefit of the members of the nonprofit organization; establishing that an unfair or deceptive trade practice includes an act or omission relating to a certain contract with a nonprofit organization; altering certain criminal penalties for a violation of the Maryland Consumer Protection Act; and generally relating to the scope of the Maryland Consumer Protection Act and penalties for violations of that Act.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 13–101(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 13–101(c), 13–301(14)(xxviii) and (15), and 13–411  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Commercial Law  
Section 13–301(16)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 727 – Senator Muse**

AN ACT concerning

#### **Washington Suburban Sanitary Commission Procurement Oversight Committee and Minority Business Enterprise Utilization Program – Termination Extension**

FOR the purpose of establishing a Washington Suburban Sanitary Commission (WSSC) Procurement Oversight Committee; providing for the membership, terms, and duties of the Committee; requiring the WSSC 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; continuing until a certain date certain provisions relating to procurement from minority business enterprises by the Commission; 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 – Public Utilities  
Section 20–207.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 20–208  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 728 – Senator Muse**

AN ACT concerning

#### **Higher Education – Tuition Waiver – Children of Law Enforcement Officers Killed in the Line of Duty**

FOR the purpose of waiving tuition and mandatory fees for children of State or local law enforcement officers killed in the line of duty who attend a public institution of higher education under certain circumstances; setting forth the conditions for receiving the waiver; exempting a certain child from paying the difference between certain amounts; providing for the duration of the waiver; requiring the Maryland Higher Education Commission to adopt certain regulations; defining certain terms; and generally relating to a tuition waiver for children of law enforcement officers killed in the line of duty in the State.

BY adding to

Article – Education  
Section 15–106.9  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety  
Section 3–101(e)  
Annotated Code of Maryland  
(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 729 – Senator Muse**

AN ACT concerning

**County Personnel – Employee Grievances and Complaints**

FOR the purpose of requiring certain counties with a certain minimum number of employees to keep certain records relating to employee grievances or complaints for a certain fiscal year; requiring certain counties to submit a certain report to the Employee Relations Division of the Department of Budget and Management on or before a certain date; requiring the Employee Relations Division of the Department of Budget and Management to compile the reports from the counties and submit 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 employee grievances or complaints procedures in certain counties.

Read the first time and referred to the Committee on Finance.

**Senate Bill 730 – Senator Muse**

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; 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  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 731 – Senator Muse**

AN ACT concerning

**Department of Housing and Community Development – Rent Stabilization  
Program for Seniors**

FOR the purpose of establishing the Rent Stabilization Program for Seniors in the Department of Housing and Community Development; extending the Rental Housing Programs Fund to operate, make loans, and pay expenses of the Program; providing for the purposes and scope of the Program; requiring the Department to administer the Program; authorizing the Department to ask the State to increase or replace amounts deposited in the Fund; providing for exemption from the provisions of this Act for certain establishments; restricting the amount of rent landlords may charge certain senior tenants and their households; providing for adjustment of the rent ceiling of individual rental units; making certain landlords eligible for a certain tax credit; requiring a certain registration statement to be filed with the Department; establishing certain procedures for landlords and tenants to petition for a rent ceiling adjustment hearing; requiring the Department to make an official record of a certain hearing; specifying certain factors that the Department must consider in deciding whether to grant an individual adjustment of rent; prohibiting the approval of a certain adjustment of the rent ceiling under certain circumstances; specifying certain times when certain adjustments become effective; requiring the Secretary of the Department to give a certain notice of violations of certain provisions; providing for judicial review of certain decisions, notices, and orders; providing for a certain exemption due to financial hardship; specifying that certain agreements to modify certain provisions of this subtitle are void; authorizing the governing body of a county or municipal corporation to grant, by law, a property tax credit against the county or municipal corporation property tax imposed on rental dwellings of owners who are covered under this Act; imposing a certain penalty; defining certain terms; and generally relating to rent stabilization for senior tenants in the State.

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 4–103 and 4–504  
Annotated Code of Maryland  
(2006 Volume and 2011 Supplement)

BY adding to  
Article – Housing and Community Development  
Section 4–4A–01 through 4–4A–20 to be under the new subtitle “Subtitle 4A.  
Rent Stabilization Program for Seniors”  
Annotated Code of Maryland  
(2006 Volume and 2011 Supplement)

BY adding to  
Article – Tax – Property  
Section 9–219.1  
Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

**Senate Bill 732 – Senator Muse**

AN ACT concerning

**Low-Cost Automobile Insurance Program – Prince George’s County**

FOR the purpose of establishing a Low-Cost Automobile Insurance Program in Prince George’s County; establishing the purpose of the Program; providing that the Program is part of the Maryland Automobile Insurance Fund; altering the purpose of the Fund; providing for the administration and development of the Program; authorizing the Program to sell, issue, and deliver certain policies of automobile insurance to individuals who meet certain eligibility requirements; providing that low-cost automobile insurance policies issued by the Program shall provide certain minimum coverages with certain exceptions and may contain other provisions under certain circumstances; establishing certain limitations on policies issued by the Program; providing that a low-cost policy issued by the Program shall satisfy certain minimum security required by certain provisions of law; requiring the Executive Director of the Maryland Automobile Insurance Fund to determine certain premiums subject to the approval of the Maryland Insurance Commissioner; authorizing certain insurance producers to bind certain coverage under certain circumstances; requiring certain notice to applicants about the limitations under the low-cost policies; authorizing the Program to reject applications for coverage under the Program and to cancel low-cost policies under certain circumstances; requiring the Board of Trustees of the Maryland Automobile Insurance Fund, in consultation with the Maryland Insurance Administration, to adopt certain regulations; defining a certain term; and generally relating to the Low-Cost Automobile Insurance Program in Prince George’s County.

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 20–301  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to

Article – Insurance  
Section 20–6A–01 through 20–6A–08 to be under the new subtitle “Subtitle 6A.  
Low-Cost Automobile Insurance Program – Prince George’s County”  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 733 – Senator Muse**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Southern Area Indoor Aquatic 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 Prince George’s County – Maryland National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 734 – Senator Muse**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Harbor Light Community Development Center**

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 Harbor Light Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 735 – Senator Rosapepe**

**EMERGENCY BILL**

AN ACT concerning

**State Board of Education – Online Courses – Approval Processing Fees**

FOR the purpose of authorizing the State Board of Education to set reasonable fees for the costs incurred by the State Department of Education for processing

approvals for online courses and services; making this Act an emergency measure; and generally relating to online course approval processing fees and the State Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–1002  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 736 – Senator Rosapepe**

EMERGENCY BILL

AN ACT concerning

**Primary and Secondary Education – Online Courses – Acceptance of Courses Approved by Other States**

FOR the purpose of authorizing the State Department of Education or a county board of education to procure online courses and services that have been approved by a state that the Department has determined has certain curriculum content standards; making this Act an emergency measure; and generally relating to acceptance of online courses approved by other states and the State Department of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–1002  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 737 – Senator Rosapepe**

AN ACT concerning

**Nursing Home Administrator License – Revocation or Surrender – Ban on Employment**

FOR the purpose of prohibiting certain nursing homes or nursing home management firms from knowingly employing or retaining as a consultant an individual who

has surrendered a nursing home administrator license to the State Board of Nursing Home Administrators or has had a nursing home administrator license revoked by the Board based on certain grounds for discipline; prohibiting the Department of Health and Mental Hygiene from reimbursing certain nursing homes, related institutions, or management firms of certain nursing homes or related institutions under the Maryland Medical Assistance Program if the facility, related institution, or firm knowingly employs or retains as a consultant a certain individual who has surrendered a certain license or has had a certain license revoked under certain circumstances; defining a certain term; and generally relating to prohibiting nursing homes, related institutions, and management firms of nursing homes and related institutions from knowingly employing an individual who has surrendered a nursing home administrator license or has had a nursing home administrator license revoked.

BY adding to

Article – Health Occupations  
Section 9–314.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 15–114(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 15–114(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General  
Section 15–114(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 738 – Senator Jennings**

AN ACT concerning

**State Real Estate Commission – Regulation of Business Brokers**

FOR the purpose of requiring an individual to be licensed as a business broker before providing business brokerage services in the State; making certain provisions of law governing real estate licensees applicable to business brokers, including qualifications for license applicants, grounds for denial, reprimand, suspension, revocation, and penalties, reciprocity of licenses, duties of licensees, nonresident broker requirements, provision of services through a team, and prohibited acts; altering the membership of the State Real Estate Commission; prohibiting a business broker from charging a commission that exceeds a certain percentage of a certain sale price; establishing the Business Brokerage Fund as a special, nonlapsing fund; requiring the Commission to adopt regulations to administer the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring business broker licensees to pay a certain one-time fee into the Fund; authorizing certain claims to be made against the Fund; establishing a certain hearing procedure for claims against the Fund; authorizing certain payments to be made from the Fund; exempting certain funds from a certain provision of law requiring interest on money in special funds to accrue to the General Fund of the State; defining certain terms; and generally relating to the regulation of business brokers by the State Real Estate Commission.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 17-101, 17-202(a)(2) and (c), 17-205(c)(3), 17-206(c), 17-209(c)(1), 17-210, 17-307(a), 17-314(b) and (e)(5), 17-315, 17-316(a)(1), (b)(1), and (e)(1), 17-322(b)(35) and (d)(3), 17-325(a), 17-330(a)(3), 17-3A-02(a), 17-3A-04, 17-3A-06(a), 17-3A-09(a), 17-3A-10(b)(2)(ii), 17-501, 17-502, 17-503, 17-504, 17-505, 17-507, 17-508, 17-513, 17-515, 17-516, 17-517, 17-518, 17-519, 17-520, 17-527.2, 17-527.3, 17-528, 17-529, 17-530, 17-532, 17-533, 17-534(d); 17-536 through 17-540 and the amended part “Part IV. Nonresident Commercial Real Estate Brokers and Nonresident Business Brokers”; 17-543 through 17-548 and the amended part “Part V. Provision of Business Brokerage or Real Estate Brokerage Services Through a Team”; 17-601(a), 17-602(a), 17-603, 17-604(a), 17-605, and 17-614

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Business Occupations and Professions

Section 17-301(a)(3), 17-303.1, 17-310(c), 17-317(a)(3); 17-4A-01 through 17-4A-12 to be under the new subtitle “Subtitle 4A. Business Brokerage Fund”; and 17-604.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64. and 65.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 739 – Senators Madaleno, Frosh, Glassman, Jones–Rodwell, Montgomery, Raskin, and Rosapepe**

AN ACT concerning

### **Tax Credit Evaluation Act**

FOR the purpose of establishing a legislative review and evaluation process for certain credits allowed against certain taxes; establishing dates for review and other legislative action with regard to certain tax credits; providing for termination of certain tax credits under certain circumstances; repealing certain obsolete tax credits; providing for the construction of certain provisions of this Act; and generally relating to a legislative review and evaluation process for certain credits allowed against certain taxes.

BY adding to

Article – Tax – General  
Section 1–301 through 1–311 to be under the new subtitle “Subtitle 3. Tax Credit Evaluation Act”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing

Article – Labor and Employment  
Section 11–1101 through 11–1107 and the subtitle “Subtitle 11. Job Creation and Recovery Tax Credit”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing

Article – Tax – General  
Section 10–704.9, 10–713, 10–719, and 10–728  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 740 – Senator Madaleno**

AN ACT concerning

**Property Tax – Charter Counties – Education Funding**

FOR the purpose of authorizing a county council in a charter county, for a certain purpose under certain circumstances, to set a property tax rate that is higher than the rate authorized under the county's charter or to collect more property tax revenues than are authorized under the county's charter, notwithstanding any provision of a county charter that places certain limits on that county's property tax rate or revenues; requiring a county to appropriate to the local board of education certain revenues and prohibiting a county from reducing certain funding to the local board of education under certain circumstances; providing for the application of this Act; and generally relating to county property tax rates and revenues and education funding.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–104  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 741 – Senators Forehand and Rosapepe**

AN ACT concerning

**Vehicle Laws – U.S. Foreign Service Members Absent from State – Effective Period of Driver's License**

FOR the purpose of establishing that a Maryland driver's license held by a member of the Foreign Service of the United States residing outside the State, or the spouse or dependent of the Foreign Service member residing outside the State with the Foreign Service member, shall remain in full force and effect during the absence; authorizing an extension for a certain period of time of the effective period of a Maryland driver's license after the return to the State of a member of the Foreign Service, or the spouse or dependent of a member of the Foreign Service, under certain circumstances and subject to certain requirements; and generally relating to the effective period of drivers' licenses of Foreign Service members.

BY renumbering

Article – Transportation  
Section 16–115(e) through (j), respectively  
to be Section 16–115(f) through (k), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 16–115(a)(1) through (3)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–115(a)(4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 16–115(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 742 – Senator Kittleman**

AN ACT concerning

#### **Workers' Compensation – Average Weekly Wage – Contest of Determination**

FOR the purpose of authorizing an employer, an employer's insurer, or the Uninsured Employers' Fund to contest the average weekly wage of a covered employee as determined by the Workers' Compensation Commission by filing wage statements with the Commission; requiring, under certain circumstances, the employer, the employer's insurer, or the Fund to continue to pay workers' compensation benefits to a covered employee based on a certain average weekly wage; requiring the Commission to modify the average weekly wage of a covered employee and issue a certain modified order under certain circumstances; prohibiting the employer, the employer's insurer, or the Fund from receiving a credit for an overpayment of benefits under certain circumstances; and generally relating to the contest of the average weekly wage of a covered employee as determined by the Workers' Compensation Commission.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment

Section 9–602(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 743 – Senators Madaleno and Montgomery**

AN ACT concerning

**State Personnel – State Personnel Disability Accommodation Fund**

FOR the purpose of establishing the State Personnel Disability Accommodation Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Budget and Management to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; providing for the reimbursement of certain money to the Fund; requiring a certain appropriation to the Fund for a certain fiscal year; defining a certain term; and generally relating to the State Personnel Disability Accommodation Fund.

BY adding to

Article – State Personnel and Pensions  
Section 2–801 to be under the new subtitle “Subtitle 8. State Personnel  
Disability Accommodation Fund”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 744 – Senators Madaleno, Colburn, Conway, Currie, Forehand, Glassman, Jones–Rodwell, King, Klausmeier, Manno, McFadden, Montgomery, Muse, Peters, Pugh, Ramirez, Raskin, Rosapepe, and Stone**

AN ACT concerning

**Health Insurance – Habilitative Services – Required Coverage and Workgroup**

FOR the purpose of altering the age under which certain insurers, nonprofit health service plans, and health maintenance organizations must provide coverage of habilitative services; specifying the format in which a certain notice about the coverage must be provided; requiring the Maryland Insurance Commissioner to establish a workgroup on access to habilitative services benefits; specifying the composition of the workgroup; requiring the workgroup to make certain determinations; requiring the Commissioner to report the findings and recommendations of the workgroup, on or before a certain date, to certain legislative committees; 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  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 745 – Senator Middleton**

AN ACT concerning

**Injured Workers’ Insurance Fund – Conversion to Chesapeake Employers’ Insurance Company**

FOR the purpose of converting the Injured Workers’ Insurance Fund into a statutorily created, private, nonprofit, and nonstock workers’ compensation insurer to be named the Chesapeake Employers’ Insurance Company; requiring the Company to file certain documents and take certain actions before a certain transfer date; providing that the Company has certain powers, privileges, and immunities granted by and is subject to certain provisions imposed on certain insurers; providing that the Company is a member of the Property and Casualty Insurance Guaranty Corporation; requiring the Company to be an authorized

insurer and certain insurer of last resort; specifying the circumstances under which the Company may cancel or refuse to renew or issue a policy; authorizing the Company to engage only in a certain business; establishing the Board for the Chesapeake Employers' Insurance Company; specifying the qualifications and terms of members of the Board; requiring the Board to adopt rules, bylaws, and procedures; authorizing the Board to declare a policyholder dividend in a certain form under certain circumstances; providing that the Company is independent of State government and that the employees of the Company are not State employees and not members of the State Retirement and Pension System; providing that the money of the Company is not part of the General Fund of the State; providing that the State may not budget for or provide General Fund appropriations to the Company; providing that the debts, claims, obligations, and liabilities of the Company are not a debt of the State or a pledge of the credit of the State; requiring the Board to attempt to use minority business enterprises under certain circumstances for certain brokerage and investment management services; requiring the Board to submit a certain report on or before a certain date each year; requiring, on a certain date, that certain functions, powers, duties, assets, property, accounts, liabilities, contracts, and obligations be irrevocably transferred to the Company; prohibiting a certain contract or agreement with the State from being transferred or assigned to the Company until a certain time; prohibiting the Company from being converted to a mutual or stock company or being dissolved; requiring the Fund to serve as a certain insurer of last resort in a certain manner before a certain date; providing that the Fund shall continue to exist on and after a certain date; prohibiting the Fund from issuing certain policies or engaging in a certain business except through the Company on and after a certain date; authorizing the Fund to continue to be a certain third party administrator on and after a certain date; requiring the Company to utilize certain employees; authorizing the Fund to utilize certain employees; requiring the Company and the Fund to execute a certain agreement; prohibiting the Fund from hiring certain employees on and after a certain date; authorizing certain employees to remain employees of the Fund and continue to be State employees on and after a certain date; providing that certain employees of the Fund may not be required to be employees of the Company; authorizing certain employees to make a certain election; providing that members of the Board for the Fund continue to serve a certain term and serve on the Board for the Company under certain terms and conditions; requiring the Board for the Fund to be subject to certain rules, bylaws, and procedures; authorizing the President of the Fund to be the President of the Company; requiring the Fund to remain in existence under certain circumstances; providing for the termination of the Fund; repealing certain provisions relating to the Fund that are obsolete upon the conversion of the Fund to the Company; providing that the Company is the successor of the Fund, the Board for the Company is the successor of the Board for the Fund, and the President of the Company is the successor of the President of the Fund; requiring that certain names and titles of certain agencies and officials mean the names and titles of the successor agency or official; providing that certain forms and documents may be used by the

Company; providing that certain functions, powers, duties, equipment, assets, and liabilities be transferred to the Company on a certain date; providing that compliance with certain provisions of law is not required until a certain time; defining certain terms; stating a certain intent of the General Assembly; requiring the publisher of the Annotated Code, in consultation with the Department of Legislative Services, to make certain corrections in the Code; and generally relating to the conversion of the Injured Workers' Insurance Fund to the Chesapeake Employers' Insurance Company.

BY adding to

Article – Insurance

Section 24–301 through 24–311 to be under the new subtitle “Subtitle 3. Chesapeake Employers' Insurance Company” and the amended title “Title 24. State Created Mutual Societies and Other Entities”

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 10–101, 10–104, 10–107, 10–109, and 10–113

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing

Article – Labor and Employment

The part designation “Part I. Definitions” immediately preceding Section 10–101; and Section 10–105, 10–106, and 10–108 and the part “Part II. Fund”; 10–110, 10–111, 10–112, and 10–114 and the part “Part III. Board”; 10–117, 10–118, 10–120, 10–121, 10–122, 10–125, 10–126, and 10–127 and the part “Part IV. Purposes and Administration of Fund”; 10–130, 10–131, 10–132, 10–133, 10–134, 10–135, 10–136, 10–137, and 10–138 and the part “Part V. Insurance Program”; and 10–141 and the part “Part VI. Prohibited Acts; Penalty”

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Labor and Employment

Section 10–103 and 10–107

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 746 – Senator Middleton**

AN ACT concerning

**Telecommunications Companies – Universal Service Trust Fund – Surcharge**

FOR the purpose of expanding the services that are subject to the Universal Service Trust Fund surcharge; requiring that a certain surcharge be applied to certain bills and be payable at a certain time; requiring the Public Service Commission to direct certain companies to add the surcharge to certain bills for certain services under certain circumstances; requiring certain companies to act as collection agents for the Fund and to remit certain proceeds to the Comptroller for deposit in the Fund; providing certain companies a certain credit against certain proceeds; defining certain terms; making certain technical changes; and generally relating to the Universal Services Trust Fund surcharge on certain telecommunications services.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 3A–501(a) and (c), 3A–504(a), 3A–601(a) and (c), 3A–602(a), and 3A–606  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 3A–501(g) and (i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 3A–501(g) and 3A–506  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 747 – Senator Middleton**

AN ACT concerning

**Commercial Law – Uniform Commercial Code – Revisions to Title 1**

FOR the purpose of revising, updating, reorganizing, and clarifying Title 1 of the Maryland Uniform Commercial Code (MUCC) relating to general provisions applicable to the MUCC; establishing a certain short title; clarifying the transactions to which Title 1 of the MUCC applies; providing for the effect of Title 1 of the MUCC on a certain federal law; authorizing the subordination of an obligation or a right to performance under certain circumstances; providing that subordination does not create a certain security interest; making certain

stylistic changes; defining certain terms; altering and repealing certain definitions; making conforming changes to certain provisions of the MUCC; and generally relating to the Maryland Uniform Commercial Code.

BY repealing

Article – Commercial Law

Section 1–101 through 1–208 and the title “Title 1. General Provisions”; and 2–208 and 2A–207

Annotated Code of Maryland

(2002 Replacement Volume and 2011 Supplement)

BY adding to

Article – Commercial Law

Section 1–101 through 1–108 to be under the new subtitle “Subtitle 1. General Provisions”; 1–201 through 1–206 to be under the new subtitle “Subtitle 2. General Definitions and Principles of Interpretation”; and 1–301 through 1–310 to be under the new subtitle “Subtitle 3. Territorial Applicability and Applicable Law”; and the new title “Title 1. General Provisions”

Annotated Code of Maryland

(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 2–103(1), 2–202, 2A–103(3), 2A–501(4), 2A–518(2), 2A–519(1), 2A–527(2), 2A–528(1), 3–103(a)(4) and (10), 4–104(c), 4A–105(a)(6) and (7), 4A–106(a)(1), 4A–204(b), 5–103(c), 8–102(a)(10), and 9–102(a)(43)

Annotated Code of Maryland

(2002 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 748 – Senator Middleton**

AN ACT concerning

#### **Commercial Law – Uniform Commercial Code – Secured Transactions – Revision**

FOR the purpose of altering the circumstances under which a secured party has control of electronic chattel paper; authorizing a certain registered organization and a branch or agency of a certain bank to designate its state of location in a certain manner; establishing certain rules applicable to collateral to which a security interest attaches within a certain period of time; establishing certain rules applicable to a financing statement naming an original debtor that is filed pursuant to the law of a certain jurisdiction; altering the circumstances under which a certain licensee or buyer of certain collateral takes free of a security

interest; altering the circumstances under which a security interest created by a new debtor is perfected; altering the applicability of certain provisions of law governing terms in certain agreements or promissory notes; altering and clarifying certain provisions of law that establish when a financing statement sufficiently provides the name of the debtor and when the name of the debtor becomes insufficient; altering the circumstances under which a filing does not occur with respect to certain records; authorizing a person to file an information statement with respect to a certain record under certain circumstances; specifying the contents of an information statement; providing that the filing of an information statement does not affect the effectiveness of a certain financing statement or record; altering the circumstances under which a filing office that accepts written records is prohibited from refusing to accept certain documents; establishing certain transition provisions; altering certain definitions; defining certain terms; making certain stylistic, conforming, and clarifying changes; providing for a delayed effective date; and generally relating to secured transactions.

BY renumbering

Article – Commercial Law

Section 9–102(a)(69) and (70) and (72) through (81), respectively  
to be Section 9–102(a)(70) and (71) and (73) through (82), respectively  
Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 9–102(a)(7), (10), (50), and (71), 9–105, 9–307(f), 9–311(a), 9–317(b) and  
(d), 9–326, 9–406(e), 9–408(b), 9–503(a) and (b), 9–507, 9–515(f), 9–516,  
9–518, 9–521, and 9–607(b)  
Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

BY adding to

Article – Commercial Law

Section 9–102(a)(69), 9–316(h) and (i), and 9–503(f), (g), and (h); and 9–801  
through 9–810 to be under the new subtitle “Subtitle 8. Transition  
Provisions for 2012 Amendments”  
Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 9–406(d), 9–408(a), and 9–607(a)(3)  
Annotated Code of Maryland  
(2002 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 749 – Senator Middleton**

AN ACT concerning

**Physicians – Sharing of Information with Maryland Health Care Commission**

FOR the purpose of adding the Maryland Health Care Commission to the list of entities to which the Health Services Cost Review Commission may disclose certain physician information; requiring the State Board of Physicians to disclose information contained in a record to the Maryland Health Care Commission for a certain purpose; adding the Maryland Health Care Commission to the list of entities that must adopt regulations for a certain transfer of information in a record; altering the date by which the regulations must be adopted; and generally relating to sharing information about physicians with the Maryland Health Care Commission for the purpose of identifying practice patterns and investigating quality or utilization of care in certain regulated entities.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 19–218

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 14–411(a) and (b)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–411(d) and (e)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 750 – Senator Middleton**

AN ACT concerning

**Maryland Health Care Commission – Cardiac Surgery and Percutaneous Coronary Intervention Services**

FOR the purpose of requiring, with a certain exception, a certificate of need for the establishment of percutaneous coronary intervention (PCI) services; requiring, beginning on a certain date, an acute general hospital to have a certificate of conformance before the hospital may establish primary PCI services or nonprimary PCI services; prohibiting the Maryland Health Care Commission from issuing a certificate of conformance unless the Commission finds that the proposed primary PCI services or proposed nonprimary PCI services meet certain standards; providing that a certificate of conformance is not required, notwithstanding certain provisions of this Act, for an acute general hospital to establish primary PCI services under certain circumstances; requiring an acute care hospital that provides cardiac surgery or PCI services under certain authorization to obtain and maintain a certificate of ongoing performance to continue to provide cardiac surgery services, primary PCI services, or nonprimary PCI services; requiring an acute general hospital that is providing nonprimary PCI services under a research waiver issued by the Commission to obtain a certificate of conformance for its nonprimary PCI services before it may obtain a certificate of ongoing performance to provide the nonprimary PCI services; requiring the Commission to adopt certain regulations; requiring the regulations to include certain items; establishing certain parameters for the process established by the Commission for issuing a certificate of conformance; authorizing a certain hospital, notwithstanding certain provisions of this Act, to provide nonprimary PCI services until the Commission takes certain actions; defining certain terms; and generally relating to the regulation of cardiac surgery and percutaneous coronary intervention services by the Maryland Health Care Commission.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–120(j)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–120(j)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 19–120.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 751 – Senator Middleton**

AN ACT concerning

**Creation of a State Debt – Charles County – Indian Head Center for the Arts  
Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Indian Head Center for the Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 752 – Senators Young, King, Kittleman, Klausmeier, Simonaire,  
and Stone**

AN ACT concerning

**Income Tax – Subtraction Modification – Retirement Income**

FOR the purpose of altering a subtraction modification under the State income tax for certain retirement income of an individual of a certain age or who is totally disabled or whose spouse is totally disabled for certain taxable years; reducing the amount allowed as a subtraction modification by a certain amount; providing that the amount of the subtraction modification may not exceed certain amounts during certain taxable years; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain retirement income.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–209  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 753 – Senator Young**

AN ACT concerning

**Real Property – Blighted Property – Required Sale or Nuisance Abatement**

FOR the purpose of requiring the owner of a blighted property to list the property for sale with a licensed real estate broker at a price that does not exceed a certain amount or remediate the property's code violations in a certain manner and within a certain period of time; authorizing the appropriate unit of local government to grant an extension of certain required time periods; prohibiting an owner of a blighted property from listing the property for lease until the property meets certain code requirements; authorizing the appropriate unit of a certain local government to declare a blighted property a nuisance and order the owner to abate the nuisance; authorizing a local government to impose a fine equal to a certain amount under certain circumstances; defining a certain term; and generally relating to required sales and nuisance abatement of blighted properties.

BY adding to

Article – Real Property

Section 14–120.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 754 – Senator Young**

EMERGENCY BILL

AN ACT concerning

**Electric Companies – Generation Request for Proposals – Expansion of Area**

FOR the purpose of requiring the Public Service Commission to consider all areas of the State when determining the need for additional electricity generation; requiring an electric company to reference generation potential in all areas of the State in a request for proposals submitted to the Commission; specifying certain criteria that an electric company shall consider in a request for proposals; making this Act an emergency measure; and generally relating to electricity generation.

BY adding to

Article – Public Utilities

Section 7–214

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 755 – Senators Young, Brinkley, Madaleno, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

**Consuming Wine Not Bought on Premises – Restaurants, Clubs, and Hotels**

FOR the purpose of allowing an individual in a certain restaurant, club, or hotel for which a certain alcoholic beverages license is issued the privilege of consuming wine not purchased from or provided by the license holder; requiring, for an individual to exercise the privilege, that the wine be consumed under certain circumstances; requiring a local licensing board to issue a certain permit at no cost to certain license holders; authorizing a license holder to determine and charge an individual a fee for the privilege; applying the sales tax to the fee; requiring, with a certain exception, the license holder to dispose of wine after the meal is finished; allowing an individual to remove from the licensed premises a bottle, the contents of which are only partially consumed, if the license holder or an employee of the license holder inserts a cork in or places a cap on the bottle; specifying that a certain bottle of wine is an “open container” for a certain purpose; prohibiting a license holder from allowing a certain individual from consuming certain wine; and generally relating to the consumption of wine.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(2)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(10)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–101(m)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 756 – Senators Young, Colburn, Klausmeier, Mathias, and Montgomery**

AN ACT concerning

**Governor’s Advisory Commission on Maryland Wine and Grape Growing –  
Membership**

FOR the purpose of altering the membership of the Governor’s Advisory Commission on Maryland Wine and Grape Growing; and generally relating to the Governor’s Advisory Commission on Maryland Wine and Grape Growing.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 10–1201(a) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 10–1203(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 757 – Senators Young, Colburn, Klausmeier, Mathias, and  
Montgomery**

AN ACT concerning

**Income Tax – Tax Credit for Wineries and Vineyards**

FOR the purpose of allowing a credit against the State income tax for certain qualified expenditures at certain wineries and certain vineyards; requiring the Maryland Department of Agriculture to administer a certain tax credit; providing for the maximum amount of tax credits that may be issued by the Department each year; requiring the Comptroller to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for certain expenditures at certain wineries and certain vineyards.

BY adding to  
Article – Tax – General  
Section 10–731  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 758 – Senators Young, Klausmeier, and Montgomery**

AN ACT concerning

**Department of Health and Mental Hygiene – Containment Laboratories –  
Oversight**

FOR the purpose of establishing the Containment Laboratory Oversight Division in the Department of Health and Mental Hygiene; requiring the Division to establish and enforce certain standards and requirements relating to certain containment laboratories in the State for a certain purpose; providing that the Division shall be the sole unit of State government responsible for oversight of certain containment laboratories; requiring the Secretary of Health and Mental Hygiene to adopt certain regulations; requiring a certain facility to hold a certain license before the facility may operate a containment laboratory on or after a certain date; requiring the Secretary to set certain fees; providing for the qualifications for a license to operate a containment laboratory; requiring a certain applicant to submit an application to the Division on a certain form; specifying the contents of an application for a certain license; requiring a certain applicant to pay a certain fee to the Division; providing for the issuance, expiration, renewal, and scope of a certain license; specifying the contents of a certain license issued by the Division; authorizing the Division to deny a license to an applicant or revoke a license under certain circumstances; requiring the Division to give notice and an opportunity for a hearing to certain applicants or licensees before taking certain action; establishing the Containment Laboratory Advisory Committee to advise the Secretary on certain matters; providing for the composition and appointment of Advisory Committee members; providing for the designation of an Advisory Committee chair; establishing the terms of the appointed members of the Advisory Committee; prohibiting a member of the Advisory Committee from receiving certain compensation but authorizing the reimbursement of certain expenses; requiring the Department of Health and Mental Hygiene to provide staff for the Advisory Committee; requiring the Biological Agents Registry Program to be administered under the jurisdiction of the Division; providing for the application of this Act; defining certain terms; specifying the terms of the initial appointed members of the Advisory Committee; and generally relating to standards and oversight for containment laboratories.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 17–602(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 17–701 through 17–712 to be under the new subtitle “Subtitle 7.  
Containment Laboratories”

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 759 – Senator Gladden**

AN ACT concerning

**Religious Corporations – Laws Governing Assets of United Methodist Church  
– Repeal**

FOR the purpose of repealing certain requirements for the holding of certain assets owned by a certain Methodist Church; repealing certain provisions of law providing for the effect of the absence of a trust clause in a certain deed or other conveyance executed before a certain date; and generally relating to the assets of the United Methodist Church.

BY repealing

Article – Corporations and Associations

Section 5–326 and 5–327

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 760 – Senator Gladden**

AN ACT concerning

**Correctional Services – Inmates – Video Visitation Program**

FOR the purpose of requiring the Department of Public Safety and Correctional Services to establish a certain video visitation program under which a certain inmate may visit with certain persons via Internet video under certain circumstances; requiring the Department to establish a certain approval process and guidelines for certain organizations to provide Internet video access to certain persons; requiring the Department to establish a certain fee for participation in a certain video visitation program; authorizing a certain person under certain circumstances to apply for participation in a certain video visitation program; requiring certain information to be included in an application for participation in a certain video visitation program; providing for an approval process for a certain application to a certain video visitation program; requiring the Department to adopt certain regulations; establishing penalties for a certain violation of a condition of a video visitation program; defining a certain term; and generally relating to a video visitation program for inmates.

BY adding to

Article – Correctional Services

Section 10–1001 through 10–1005 to be under the new subtitle “Subtitle 10.  
Video Visitation Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 761 – Senator Gladden**

AN ACT concerning

#### **Juveniles – Confinement in Juvenile Facilities**

FOR the purpose of providing that a certain child for whom the juvenile court has waived jurisdiction under certain circumstances is required to remain detained in a juvenile detention facility except under certain circumstances; providing that a certain child is required to be transferred to a certain juvenile facility under certain circumstances; establishing the circumstances under which a certain child may not be transferred to a juvenile facility; prohibiting a child from being transported together with certain adults except under certain circumstances; requiring a court exercising criminal jurisdiction in a case involving a child, or the District Court at a bail review or preliminary hearing, to order a certain child to be held in a secure juvenile facility pending a certain determination except under certain circumstances; authorizing a certain defendant to receive certain credit against and a reduction of the term of a certain sentence for all time spent in the custody of a juvenile detention facility under certain circumstances; making stylistic changes; and generally relating to juveniles and confinement in juvenile facilities.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–06 and 3–8A–16

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–22

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 4–202 and 6–218

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 762 – Senator Benson**

AN ACT concerning

**Alcoholic Beverages – Multiple Licenses – Chain Stores and Out-of-State Licensees**

FOR the purpose of specifying that a business establishment may not be considered a chain store for purposes of certain provisions of the alcoholic beverages law under certain circumstances; repealing certain prohibitions against issuing certain alcoholic beverages licenses in certain counties to a person who holds an alcoholic beverages license issued in another state or Washington, D.C.; increasing the number of certain alcoholic beverages licenses that may be issued to an individual for certain purposes; limiting the number of licenses that may be issued for a certain purpose; making technical and conformity changes; and generally relating to alcoholic beverages licenses in the State.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–102(a) and (a–1) and 9–107  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing  
Article 2B – Alcoholic Beverages  
Section 9–102(b–3)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 763 – Senator Benson**

AN ACT concerning

**Election Law – Payroll Deductions and Member Contributions – Address of Contributor**

FOR the purpose of requiring an employer that collects voluntary contributions from employees through payroll deduction to a campaign finance entity selected by the employer to record the address of each contributor and transfer that

information to the campaign finance entity; requiring an employer that collects voluntary contributions from employees through payroll deduction to a campaign finance entity affiliated with an employee membership entity selected by the employee to record the address of each contributor and transfer that information to the employee membership entity; requiring a membership entity that collects voluntary contributions from members to a campaign finance entity affiliated with the membership entity to record the address of each contributor and transfer that information to the affiliated campaign finance entity; and generally relating to requiring employers and membership entities that collect contributions to campaign finance entities to record the address of each contributor and transfer that information to the campaign finance entity.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–241, 13–242, and 13–243

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 764 – Senators Kelley, Klausmeier, and Mathias**

AN ACT concerning

**Fraudulent Insurance Acts – Individual Sureties – Contracts  
of Surety Insurance**

FOR the purpose of establishing that it is a fraudulent insurance act for an individual surety to make a certain representation or to issue a contract of surety insurance, except as provided in certain provisions of law; establishing that it is a fraudulent insurance act for a person to knowingly or willfully assist a person to obtain a contract of surety insurance from an individual surety, except as provided in certain provisions of law; establishing that it is a fraudulent insurance act for a person to knowingly or willfully make a certain false or fraudulent statement or representation about certain assets pledged by an individual surety or to knowingly or willfully fail to return certain money or premiums paid for a contract of surety insurance under certain circumstances; establishing certain penalties for certain violations of this Act; defining a certain term; and generally relating to individual sureties, contracts of surety insurance, and fraudulent insurance acts.

BY adding to

Article – Insurance

Section 27–406.1

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–408  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 765 – Senators Mathias and Middleton**

AN ACT concerning

**Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility Bills**

FOR the purpose of authorizing certain tenants to prevent the termination of certain utility service by paying the amount due on a monthly bill; authorizing certain tenants to restore certain utility service by paying the amount due on a monthly bill and other applicable charges; authorizing certain tenants to pay for certain other charges; specifying that certain tenants may not incur liability by taking certain action; authorizing certain utility service providers to require certain tenants to pay for past due utility bills, subject to an exception; specifying the method by which a utility service provider may calculate charges for past due utility bills; authorizing certain tenants to deduct the amount of payments made on a landlord's utility bill from rent due to the landlord; requiring a utility service provider to provide certain tenants with copies of future utility bills under certain circumstances; specifying that a tenant's failure to make certain payments authorizes a utility service provider to terminate service under certain circumstances; requiring a utility service provider to provide certain notice to certain tenants within a certain period of time before terminating service; prohibiting the waiver of certain rights; requiring a certain complaint for failure to pay rent to account for payments made by a tenant on a utility bill under certain circumstances; defining certain terms; and generally relating to payment of a utility bill by a tenant.

BY adding to  
Article – Public Utilities  
Section 7–309  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–401(b)(1)(iii) and (c)(2)(iii)2.D.  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 766 – Senator Edwards**

AN ACT concerning

**Motor Fuel – Mass Transit Tax – Transit Funding**

FOR the purpose of imposing a certain additional tax on certain motor fuel in certain jurisdictions; establishing the rate of the tax as a certain percentage of the sales price charged by a distributor for motor fuel sold to a retail service station dealer in certain jurisdictions; requiring the tax to be imposed at a certain time and collected and paid in a certain manner; requiring a distributor to file a motor fuel mass transit tax return at certain times; allowing a distributor to deduct a certain amount of the motor fuel mass transit tax due to reimburse the distributor for certain expenses; providing that certain exemptions, refunds, procedures, and penalties that apply to the motor fuel tax also apply to the motor fuel mass transit tax, unless certain regulations provide otherwise; requiring the Comptroller to adopt regulations implementing the motor fuel mass transit tax; requiring regulations adopted by the Comptroller to address certain matters; requiring that motor fuel mass transit tax revenue be distributed in a certain manner; creating the Mass Transit Account in the Transportation Trust Fund to pay the cost of light rail and subway transit facilities and transit service operated by the Maryland Transit Administration in certain jurisdictions; requiring that certain motor fuel mass transit tax revenue be credited to the Mass Transit Account; prohibiting the Department of Transportation from budgeting more than a certain amount of certain funds in the Transportation Trust Fund to pay certain transit costs; authorizing the Department to budget funds in the Transportation Trust Fund to pay certain transit costs in excess of a certain amount only if the excess amount is paid from the Mass Transit Account; requiring persons who hold motor fuel on the date that the motor fuel mass transit tax is first imposed to remit any motor fuel mass transit tax that is due on the motor fuel; repealing certain obsolete provisions; defining certain terms; and generally relating to imposing a motor fuel mass transit tax on motor fuel and dedicating the revenue to mass transit.

BY adding to

Article – Tax – General

Section 1–101(n–1); 2–11A–01 through 2–11A–03 to be under the new subtitle “Subtitle 11A. Motor Fuel Mass Transit Tax Distribution”; and 9–401 through 9–407 to be under the new subtitle “Subtitle 4. Motor Fuel Mass Transit Tax”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 3–216(c)(2)(i) and (d)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing

Article – Transportation  
Section 3–216(d)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation  
Section 3–216(d)(3) and 7–309  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 767 – Senator Edwards**

#### EMERGENCY BILL

AN ACT concerning

### **Garrett County – County Commissioners – Wind Energy Conversion Systems**

FOR the purpose of requiring that certain wind energy conversion systems comply with certain setback requirements; authorizing certain variances under certain circumstances; requiring that before a permit is issued for certain wind energy conversion systems, the Garrett County Department of Planning and Land Development retain a certain professional engineer to prepare a certain cost estimate and require the applicant to post a certain bond; requiring that the bond be held as surety for certain purposes; requiring, on completion of the construction of certain wind energy conversion systems and on a certain periodic basis, the Department to retain a certain professional engineer for certain purposes; authorizing the Department to alter the amount of a certain bond under certain circumstances; providing for the release of a bond under certain circumstances; authorizing the Department to require a certain owner to decommission and restore a certain pad site under certain circumstances; authorizing the use of a certain bond under certain circumstances; defining certain terms; providing that a certain rule, regulation, law, or ordinance for zoning of wind energy conversion systems supersedes this Act; providing for the application of this Act; providing for the termination of this Act; making this Act an emergency measure; and generally relating to wind turbines in Garrett County.

BY adding to

Article 25 – County Commissioners  
Section 236G  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 768 – Senator Edwards**

AN ACT concerning

**Natural Gas Severance Tax and Impact Fund**

FOR the purpose of imposing a tax on the removal of natural gas from certain wells in the State; providing for the calculation of the tax; setting the rate of the tax; providing for the administration of the tax by the Comptroller; authorizing the Comptroller to require certain security for the tax; imposing certain penalties for certain violations; requiring persons subject to the tax to file returns and keep and make available certain records and information; providing for the distribution of revenue from the tax; establishing the Natural Gas Impact Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of the Environment, in consultation with the Department of Natural Resources, to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purposes for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the departments to report to the Governor and the General Assembly on or before a certain date; stating the intent of the General Assembly; defining certain terms; and generally relating to a tax on removing natural gas from certain wells in the State.

BY adding to

Article – Tax – General  
Section 1–101(o–1); 2–104(c)(3); 2–11A–01 and 2–11A–02 to be under the new subtitle “Subtitle 11A. Natural Gas Severance Tax Revenue Distribution”; 10.5–101 through 10.5–301 to be under the new title “Title 10.5. Natural Gas Severance Tax”; and 13–825(f–1), 13–1001(d–1), 13–1003(b–1), 13–1008(b–1), and 13–1104(f–1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 2–102, 13–201(3), 13–508(a) and (c), 13–509(a), and 13–1102  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Environment

Section 14–122.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 769 – Senator Edwards**

AN ACT concerning

**Garrett County – Animal Control Ordinance – Enabling Authority**

FOR the purpose of authorizing the County Commissioners of Garrett County to adopt a certain animal control ordinance; authorizing a certain animal control officer to deliver a certain citation to a person believed to be committing a violation of an animal control ordinance adopted by the county commissioners; establishing the contents of a certain citation; establishing a certain maximum penalty; authorizing the county commissioners to establish certain fines and procedures; authorizing a person who receives a certain citation to elect to stand trial; establishing certain procedures relating to the prosecution and trial of a person who violates an animal control ordinance; providing that a person who commits a violation of an animal control ordinance is liable for court costs under certain circumstances; making certain conforming changes; and generally relating to the adoption of an animal control ordinance in Garrett County.

BY repealing and reenacting, with amendments,

Article 25 – County Commissioners

Section 236A

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 770 – Senator Edwards**

AN ACT concerning

**Business Occupations – Landmen – Registration**

FOR the purpose of requiring the Department of Labor, Licensing, and Regulation to establish and maintain a landman registry; prohibiting a person from acting, offering to act, or holding oneself out in the State as a landman unless registered with the Department; requiring a person to apply for registration by

submitting a certain form, paying a certain fee, and complying with certain other requirements; specifying the contents of the registration application form; requiring the Department to register and issue a registration number to a certain applicant; prohibiting the transfer, assignment, or pledge of a certain registration number; providing for the expiration of a certain registration; authorizing a certain registrant to renew a registration; requiring the Department to renew a certain registration under certain circumstances; requiring a registrant to send the Department a certain notice; authorizing the Department to take certain disciplinary action; establishing certain penalties for certain violations; providing for the recovery of the penalties in certain civil actions; requiring that certain fees, civil penalties, and fines be deposited into a certain fund; requiring the Department to adopt certain regulations; defining a certain term; and generally relating to the registration of landmen in the State.

BY adding to

Article – Business Occupations and Professions

Section 17.5–101 through 17.5–112 to be under the new title “Title 17.5.  
Landmen”

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 14–122

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 771 – Senator Edwards**

AN ACT concerning

#### **Public Utility Companies – Generating Stations – Wind**

FOR the purpose of repealing a provision that exempts a certain person from having to obtain a certificate of public convenience and necessity for a generating station that produces electricity from wind under certain circumstances; repealing a provision that requires a person to obtain approval from the Public Service Commission prior to any construction of a generating station that produces electricity from wind under certain circumstances; repealing a provision that requires the Commission to provide an opportunity for public comment at a public hearing in a certain manner under certain circumstances; and generally relating to electricity from wind generating stations.

BY repealing and reenacting, without amendments,

Article – Public Utilities  
Section 7–207(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–207.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 772 – Senators Edwards and Astle**

AN ACT concerning

#### **Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities**

FOR the purpose of authorizing an individual to possess a certain number of certain special registration plates for individuals with disabilities for certain motorcycles in addition to the special registration plate and parking placards authorized under certain provisions of law; and generally relating to special registration plates and parking placards for individuals with disabilities.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–616(c) and 13–616.1(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 773 – Senator Edwards**

AN ACT concerning

#### **Environment – Gas and Oil Leases – Requirements**

FOR the purpose of requiring a certain person that enters into a certain gas or oil lease after a certain date to record the lease within a certain period of time; requiring that certain information be stated conspicuously in a certain gas or oil lease; providing that a certain gas or oil lease is not valid unless it meets the requirements of this Act; and generally relating to gas and oil leases in the State.

BY adding to

Article – Environment

Section 14–113.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 774 – Senator Young**

AN ACT concerning

**Family Law – Petition for Termination of Parental Rights**

FOR the purpose of altering the circumstances under which a local department of social services is required to file a petition for termination of parental rights or join an action for termination of parental rights; altering the circumstances under which a local department is not required to file a petition or join an action; establishing that a child shall be considered to be abandoned under certain circumstances; making a technical and clarifying change; and generally relating to termination of parental rights.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–525.1

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 775 – Senators Young, Colburn, and Ramirez**

AN ACT concerning

**Municipal Corporations – Collection of Charges**

FOR the purpose of requiring a collector of taxes for a municipal corporation, on request by the municipal corporation, to collect certain charges imposed by the municipal corporation, that by law are liens against certain real property, as part of and in addition to any taxes due on the property; and generally relating to the collection of certain charges imposed by a municipal corporation.

BY repealing and reenacting, without amendments,

Article 23A – Corporations – Municipal

Section 2(b)(17)

Annotated Code of Maryland

(2011 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 4–201(a), 14–801(a) and (c), and 14–809(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 4–201(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 776 – Senator Young**

AN ACT concerning

**Polysomnographic Technologists – Education and Examination  
Requirements**

FOR the purpose of altering the education requirements for a license to practice polysomnography; requiring the State Board of Physicians to waive certain education requirements for a license to practice polysomnography if, in addition to meeting certain other requirements, an applicant has a passed a certain examination on or before a certain date; and generally relating to education and examination requirements for polysomnographic technologists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–5C–09 and 14–5C–10  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and  
Environmental Affairs.

**Senate Bill 777 – Senators Pugh, Benson, Conway, Jones–Rodwell, Manno,  
McFadden, Montgomery, and Raskin**

AN ACT concerning

**State Government – Commemorative Days – Harriet Tubman Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Harriet Tubman Day; and generally relating to commemorative days.

BY adding to

Article – State Government  
Section 13–410  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 778 – Senator Pugh**

AN ACT concerning

**Commercial Law – Rental–Purchase Agreements Best Practices Act**

FOR the purpose of requiring certain annual percentage rates to be disclosed in a rental–purchase agreement; prohibiting certain items from being included in a rental–purchase agreement; altering the circumstances under which a consumer may reinstate a rental–purchase agreement; requiring a reduction in certain payments under certain circumstances; requiring a certain lessor to maintain certain records for a certain period of time; establishing a certain maximum price that may be charged to a consumer under certain circumstances; establishing a certain maximum total amount paid by a certain consumer over a certain period of time; requiring a lessor to provide a written receipt and a written statement to a consumer under certain circumstances; requiring a certain percentage rate to be stated on certain advertisements; authorizing certain attorney’s fees and court costs for a certain violation; providing that a certain violation is an unfair or deceptive trade practice under the Maryland Consumer Protection Act; providing that a rental–purchase agreement is void under certain circumstances; providing for certain penalties if the agreement is void; prohibiting a lessor from bringing a certain court action unless a certain notice is given to the consumer; requiring a rental–purchase agreement to be written in a certain manner; altering a certain form used to satisfy certain disclosure requirements; requiring a bill or invoice sent to a consumer to contain certain information; authorizing the Attorney General’s Office to adopt and enforce certain regulations and bring a certain civil action; requiring the Attorney General’s Office to place certain items on its Web site; altering a certain short title; defining certain terms; altering certain definitions; and generally relating to rental–purchase agreements best practices.

BY repealing and reenacting, with amendments,

Article – Commercial Law  
Section 12–1101, 12–1104 through 12–1107, and 12–1109 through 12–1112  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 12–1102, 12–1103, and 12–1108  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Commercial Law  
Section 12–1106.1, 12–1110.1, 12–1111.1, and 12–1111.2  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 779 – Senator Pugh**

AN ACT concerning

#### **State Retirement and Pension System – Study of Asset Management**

FOR the purpose of requiring the Governor’s Office of Minority Affairs to conduct a study of the Maryland State Retirement and Pension System and all funds managed by the Board of Trustees for the State Retirement and Pension System to determine the capacity to select minority fund managers across all asset classes and to determine methods that best assure the recruitment and selection of minority companies for fund-to-fund management or direct management by the Investment Division of the State Retirement Agency; requiring the Governor’s Office of Minority Affairs to submit a report of its findings and recommendations by a certain date; providing for the termination of this Act; and generally relating to the management of the assets of the State Retirement and Pension System.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 21–116(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 780 – Senator Pugh**

AN ACT concerning

#### **Electricity and Gas Suppliers – Residential Electricity Supply Contracts – Information and Customer Relations**

FOR the purpose of requiring electricity suppliers to include on certain marketing materials and a certain Web site a certain disclaimer under certain circumstances; requiring an electricity supplier to notify a certain customer in a certain manner of the amount of a certain rate in certain residential electricity supply contracts under certain circumstances; prohibiting automatic renewal clauses in certain residential electricity supply contracts except under certain circumstances; requiring a customer to evidence acceptance or rejection of the terms of an automatic renewal provision in a certain manner; authorizing a customer to refuse the renewal of a certain contract within a certain time period; prohibiting a residential supply contract from containing an early termination fee or penalty on cancellation of the contract unless the customer is given certain notice at a certain time; requiring a customer to acknowledge notice of the early termination fee or penalty on cancellation of the contract in a certain manner; providing that an early termination fee or penalty imposed under a residential supply contract must decrease in a certain manner over the contract term; requiring the Commission to include on its staff a certain position; providing for the application of a certain provision of this Act; defining certain terms; altering certain definitions; and generally relating to electricity and gas suppliers, residential electricity supply contracts, and residential customer account information.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 1–101(c), (j), and (n), 2–108(d), and 7–507  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 781 – Senators Pugh, Mathias, Middleton, and Montgomery**

AN ACT concerning

**Health Insurance – Coverage for Telemedicine Services**

FOR the purpose of requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide the same coverage for health care services delivered in person or through a telemedicine service; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from excluding a health care service from coverage solely because it is delivered by a telemedicine service and not in another manner; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to reimburse health care providers for certain services on a certain basis under certain circumstances; authorizing the imposition of a deductible, copayment, coinsurance amount, annual dollar maximum, or lifetime dollar maximum under certain circumstances; authorizing certain insurers, nonprofit health service plans, and health maintenance organizations

to undertake certain utilization review under certain circumstances; prohibiting a health insurance policy or contract from distinguishing between patients in rural or urban locations in providing certain coverage; providing that a certain decision constitutes a certain adverse decision under certain circumstances; requiring the Maryland Medical Assistance Program to provide certain reimbursement under certain circumstances; making certain provisions of this Act applicable to health maintenance organizations; providing that the health benefit options that the Secretary of Budget and Management includes in the State Employee and Retiree Health and Welfare Benefits Program may not discriminate in a certain manner and shall provide certain coverage; requiring the Department of Public Safety and Correctional Services to make a certain study and report to the General Assembly on or before a certain date; defining a certain term; providing for the application of this Act; and generally relating to coverage for telemedicine services under health insurance.

BY adding to

Article – Insurance  
Section 15–139  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 15–105.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health – General  
Section 19–706(l)lll  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions  
Section 2–518  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 782 – Senator Pugh**

AN ACT concerning

**Health Insurance – Pharmacy Benefits Managers – Specialty Drugs**

FOR the purpose of requiring the State Board of Pharmacy to determine and prepare a list of the prescription drugs that may be considered specialty drugs by a pharmacy benefits manager; requiring the Board to publish its list of specialty drugs in the Maryland Register with a certain frequency; specifying the prescription drugs that a pharmacy benefits manager may designate as specialty drugs on a formulary; requiring a pharmacy benefits manager to allow any licensed pharmacy or licensed pharmacist in the State to fill a prescription for a specialty drug under certain circumstances; prohibiting a pharmacy benefits manager from requiring a specialty drug to be dispensed by mail order; defining a certain term; and generally relating to pharmacy benefits managers and specialty drugs.

BY adding to

Article – Insurance  
Section 15–1611  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 783 – Senators Pugh, Manno, Montgomery, Peters, Pinsky,  
Ramirez, Rosapepe, and Young**

AN ACT concerning

**State Personnel – Collective Bargaining – Applicability**

FOR the purpose of providing certain collective bargaining rights to certain State employees; specifying the responsibilities of the State Labor Relations Board in administering and enforcing certain provisions of law relating to the collective bargaining rights of certain State employees; requiring the State Labor Relations Board to create certain bargaining units for certain State employees; and generally relating to the collective bargaining rights of State employees.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 3–101(b), 3–102, and 3–205  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 784 – Senators Muse, Colburn, Kittleman, and Klausmeier**

AN ACT concerning

**Department of Health and Mental Hygiene – Workgroup on Cancer Clusters  
and Environmental Causes of Cancer**

FOR the purpose of requiring the Department of Health and Mental Hygiene, in consultation with the Department of the Environment, to convene a certain workgroup to examine certain issues; requiring the workgroup to include certain representatives; requiring the Department of Health and Mental Hygiene to report the findings and any recommendations of the workgroup to the Governor and the General Assembly on or before a certain date; and generally relating to cancer clusters and environmental causes of cancer.

Read the first time and referred to the Committee on Finance.

**Senate Bill 785 – Senator Muse**

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  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 786 – Senators Muse and Ramirez**

AN ACT concerning

**Foreclosure Prevention and Neighborhood Stabilization Act of 2012**

FOR the purpose of requiring a secured party to file a certain request for foreclosure mediation; repealing a certain provision of law providing for a waiver of a certain filing fee; repealing a certain provision of law requiring a copy of a certain request to be mailed to a certain person; requiring the court to stay foreclosure proceedings until the conclusion of foreclosure mediation under

certain circumstances; repealing a certain provision authorizing the secured party to file a motion to strike a certain request; authorizing the mortgagor or grantor to waive the right to participate in foreclosure mediation in a certain manner; requiring the court to appoint a mediator with certain qualifications; requiring the parties to split the cost of foreclosure mediation; requiring a certain mediator to be paid a certain fee; authorizing the court to extend the time for completing the foreclosure mediation under certain circumstances; limiting the period for which an extension may be granted under certain circumstances; requiring a certain notice including certain information to be sent to certain parties; requiring certain parties to provide certain information and documents; requiring certain parties to be present at the foreclosure mediation; authorizing a foreclosure mediation to be conducted in a certain manner; authorizing the mediator to schedule more than one mediation session; requiring the mediator to address certain issues during the foreclosure mediation; requiring certain parties to negotiate in good faith; authorizing a mediator to take certain actions if the mediator determines that any party is not acting in good faith; requiring the Department of Housing and Community Development to establish and maintain a Foreclosed Property Registry; requiring a certain person to register certain residential property with the registry; requiring the registration to include certain information; requiring a certain person to notify the registry of a certain purchase at a foreclosure sale; establishing a penalty for a violation of certain provisions of this Act; establishing a certain tax credit for the purchase of residential property in a certain community; defining a certain term; altering a certain definition; making conforming changes; and generally relating to foreclosure mediation, a registry for foreclosed property, and tax credits for homes in foreclosure hotspots.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 7–105.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Real Property

Section 14–126(d)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – Property

Section 9–110

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Budget and Taxation.

**Senate Bill 787 – Senator Forehand**

AN ACT concerning

**Estates and Trusts – Maryland Uniform Principal and Income Act – Certain Payments to and from Trusts**

FOR the purpose of establishing certain requirements concerning allocation of principal and income for a distribution to a marital trust from an individual retirement account, qualified retirement plan account, or certain similar account or plan, or annuity; requiring a trustee of a marital trust to perform certain duties on request of a surviving spouse under certain circumstances; requiring a marital trust to increase receipts payable to a beneficiary under certain circumstances; requiring payment of income tax on receipts from a certain business entity to be charged in a certain manner; altering a certain definition; defining a certain term; and generally relating to the Maryland Uniform Principal and Income Act and certain payments to and from certain trusts.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 15–516 and 15–527  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 788 – Senators Muse, Colburn, and Ramirez**

AN ACT concerning

**Registration of Property Subject to Foreclosure**

FOR the purpose of requiring a person authorized to make the sale of a residential or commercial property to give certain notice to the appropriate county agency within a certain number of days after filing an order to docket or a complaint to foreclose a mortgage or deed of trust on residential or commercial property located in the State; requiring a person authorized to make the sale of a residential or commercial property to provide the appropriate county agency with the contact information of a person authorized to manage and maintain the residential or commercial property; authorizing the appropriate county agency to collect a certain fee with a certain notice of a filing to foreclose on residential or commercial property; requiring the fee to be paid by the owner of record of the property subject to foreclosure; requiring the fee collected to be

used for certain purposes; and generally relating to the registration of residential and commercial property subject to foreclosure in the State.

BY adding to

Article – Real Property

Section 7–105.11

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 789 – Senator Robey**

AN ACT concerning

**Transportation – State Determination of Paratransit Service  
Eligibility – Acceptance by Local Governments**

FOR the purpose of requiring a county or local government agency to consider an individual eligible for certain paratransit service on receipt of notification from the Maryland Department of Transportation that the individual has been certified by the Department as having satisfied the standards established for eligibility under the federal Americans with Disabilities Act for certain paratransit service; defining a certain term; and generally relating to eligibility for paratransit service.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 2–103.5

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 790 – Senators Pugh, Conway, Jones–Rodwell, and Manno**

**EMERGENCY BILL**

AN ACT concerning

**Harriet Tubman Day**

FOR the purpose of requiring the Governor to proclaim a certain day as Harriet Tubman Day; and making this Act an emergency measure.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 791 – Senator Garagiola**

AN ACT concerning

**Renewable Energy Portfolio Standard – Solar Energy and Solar Water Heating Systems**

FOR the purpose of altering the minimum required percentage of Tier 1 renewable energy that must be derived from solar energy in the State's renewable energy portfolio standard in certain years; authorizing the Public Service Commission, in consultation with the Maryland Energy Administration, to identify an equivalent certification for measurement for energy generated by certain solar water heating systems for certain purposes; authorizing the Commission, in consultation with the Administration, to approve an equivalent certification body to set certain standards; providing for the application of this Act; and generally relating to solar energy.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–703 and 7–704(g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 792 – Senators Garagiola, Glassman, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, Muse, Pugh, Raskin, Robey, and Young**

AN ACT concerning

**State Procurement – Banking Services Preference – Lend Local Act of 2012**

FOR the purpose of requiring the State Treasurer, when deciding whether to designate or make an agreement with a financial institution to provide certain banking services to the State or an agency of the State, to consider whether the financial institution is operating in the State with certain total assets and commits to make loans to small businesses in the State in an aggregate amount of at least a certain percentage of certain incremental funds; and generally relating to the procurement of banking services by the State.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–201(a), (b), (e), and (f)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–203  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 793 – Senators Garagiola, Colburn, and King**

AN ACT concerning

**Corporate Income Tax – Rate in Economically Depressed Counties**

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations that is attributable to the operation of the corporation in certain qualified distressed counties; providing for the determination of income attributable to the operation of a corporation in a qualified distressed county; providing for the application of this Act; and generally relating to the State income tax rate for certain income of corporations.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 794 – Senators Garagiola, Astle, DeGrange, Glassman, King, Klausmeier, Mathias, Middleton, Muse, and Robey**

AN ACT concerning

**Horse Racing – Purse Dedication Account – Use of Funds for Operating Assistance**

FOR the purpose of repealing a restriction that limits to a certain calendar year the use of certain Purse Dedication Account funds for operating assistance by the Ocean Downs Race Course and Rosecroft Raceway to support a minimum of a certain number of live racing days at each of these race courses; authorizing the use of certain revenues from the Purse Dedication Account for certain operating expenses at certain racetracks; placing certain conditions on the receipt of certain grants from the Purse Dedication Account; requiring certain racing

licensees to provide certain information to the Secretary under certain circumstances; 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 use of Purse Dedication Account funds by the Ocean Downs Race Course and Rosecroft Raceway for operating assistance.

BY repealing and reenacting, without amendments,

Article – State Government  
Section 9–1A–28(e), (f), and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–1A–28(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY renumbering

Article – State Government  
Section 9–1A–28(g) and (h), respectively  
to be Section 9–1A–28(i) and (j), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 412 of the Acts of the General Assembly of 2011)

BY adding to

Article – State Government  
Section 9–1A–28(g) and (h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 412 of the Acts of the General Assembly of 2011)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Finance.

**Senate Bill 795 – Senators Garagiola, Brochin, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, Peters, Pugh, and Robey**

AN ACT concerning

**Estate Tax – Exemption for Family Farm or Small Business**

FOR the purpose of altering the determination of the Maryland estate tax 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; altering

the determination of the Maryland estate tax to exclude from the value of the gross estate the value of certain interest in a small business; defining certain terms; providing for the application of this Act; and generally relating to the Maryland estate tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–309  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 796 – Senator Garagiola**

AN ACT concerning

#### **Renewable Portfolio Standard – Solar – Small Solar On–Site Generators and Solar Water Heating Systems**

FOR the purpose of requiring that a certain percentage of the renewable energy portfolio standard for solar be from certain small solar on–site generators under certain circumstances; requiring an electricity supplier to purchase solar renewable energy credits from certain small solar on–site generators each year before purchasing solar renewable energy credits produced from other generating facilities in order to meet a certain requirement; providing that, if an electricity supplier provides certain documentation to the Public Service Commission, the electricity supplier may use solar renewable energy credits from generating facilities other than small solar on–site generators to fulfill a certain requirement; requiring an electric company to purchase certain electricity generated by a small solar on–site generator under certain circumstances; providing that a certain small solar on–site generator owns and has title to any renewable energy credit associated with electricity sold to an electric company under certain circumstances; defining a certain term; altering the definition of a certain term; and generally relating to solar energy and the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–701(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Public Utilities  
Section 7–701(k–1)  
Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 7–701(k–1) and 7–703

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 797 – Senators Frosh and Gladden**

AN ACT concerning

#### **Courts and Judicial Proceedings – Witnesses – Privileged Communications Between Labor Organization and Member**

FOR the purpose of prohibiting a labor organization or an agent of a labor organization from being compelled to disclose in certain proceedings certain communications or information acquired from a member; providing certain exceptions; prohibiting a certain inference from being drawn from a certain refusal; providing that the provisions of federal or State labor law control under certain circumstances; and generally relating to privileged communications.

BY adding to

Article – Courts and Judicial Proceedings

Section 9–124

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 798 – Senator Frosh**

AN ACT concerning

#### **The Marcellus Shale Safe Drilling Study Fee**

FOR the purpose of altering the amount of a certain performance bond; authorizing the Department of the Environment to adopt certain regulations to alter the minimum amount of a certain performance bond; requiring certain owners of a certain gas interest in certain areas of the State to file a certain notice with the Department in accordance with certain requirements; requiring certain owners of a certain gas interest in certain areas of the State to pay to the Department a certain amount of money on or before certain dates under certain circumstances; establishing certain grounds for the denial of a certain permit; requiring the Department to deposit certain funds and penalties in the Oil and

Gas Fund; requiring a certain amount of money in the Oil and Gas Fund to be used for a certain study; requiring the Department to make a certain refund under certain circumstances; authorizing the Department to impose a certain administrative penalty under certain circumstances; authorizing the Department to use certain funds for certain purposes; authorizing the Department and the Department of Natural Resources to enter into certain agreements for certain purposes; providing for the application of certain provisions of law; making stylistic changes; defining certain terms; altering certain definitions; and generally relating to gas and oil wells and gas interests.

BY repealing and reenacting, with amendments,

Article – Environment

Section 14–102, 14–111(a) and (b), 14–116, 14–117, 14–118, 14–122, and 14–123

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Environment

Section 14–113.1 and 14–120.1

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 799 – Chair, Judicial Proceedings Committee (By Request – Sexual Offender Advisory Board)**

AN ACT concerning

**Criminal Law – Sex Offenders – Statutory Sex Offense**

FOR the purpose of altering the age difference required between a victim and an offender for the crime of third degree sex offense; prohibiting certain persons from engaging in certain sexual acts with a person who is a certain age; providing for penalties for a violation of this Act; requiring a certain person convicted of engaging in certain sexual acts with a person who is a certain age to register on the State sex offender registry; requiring the Department of Public Safety and Correctional Services to maintain a certain nonpublic registry database for certain persons convicted of a certain crime; establishing the purpose of a certain registry database; establishing the term of registration for certain nonpublic registrants; altering the duties of the Department for the registration of certain sex offenders; requiring a certain registrant to appear in person at a certain location at certain times and to provide certain information; making conforming changes; defining certain terms; and generally relating to sex offenders.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–106(z)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–307 and 3–308  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 3–308.1  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701 and 11–713  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 11–704.3  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 800 – Senators Brinkley and Young**

AN ACT concerning

#### **Creation of a State Debt – Frederick County – Goodwill Industries of Monocacy Valley**

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 Goodwill Industries of Monocacy Valley, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 801 – Senators Brinkley and Young**

AN ACT concerning

**Creation of a State Debt – Frederick County – Mental Health Association Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Mental Health Association of Frederick County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 802 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Budgetary Processes**

FOR the purpose of renaming certain balances in the general fund of Frederick County; requiring that if a certain committed general fund balance is appropriated and expended by the County Commissioners of Frederick County, the County Commissioners shall replenish the committed general fund balance by the end of a certain fiscal year; and generally relating to the budgetary processes of Frederick County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Frederick County  
Section 2-7-1, 2-7-4(a), and 2-7-11  
Article 11 – Public Local Laws of Maryland  
(2004 Edition and July 2011 Supplement, as amended)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 803 – Senators Brinkley and Kittleman**

AN ACT concerning

**Public Safety – Regulated Firearms – Exemption from Training Course**

FOR the purpose of providing an exemption from certain requirements to complete a certain firearms training course if an individual is a retired law enforcement officer of a unit of the federal government, the State, or any local law enforcement agency in the State; and generally relating to applicants for regulated firearms.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–119 and 5–134(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 804 – Senators Brinkley, Colburn, Glassman, Jennings, Robey, and Stone**

AN ACT concerning

**Human Services – Service Animal Trainers – Nondiscrimination**

FOR the purpose of altering certain provisions of law establishing certain rights and privileges for individuals with disabilities to include certain service animal trainers; altering certain provisions of law relating to the use of service animals by individuals with disabilities to include service animal trainers; altering a certain definition; and generally relating to nondiscrimination against service animal trainers.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 7–701(h) and 7–704  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 805 – Senators Brinkley, Brochin, Colburn, Getty, Glassman, Jennings, Kittleman, Muse, Reilly, and Shank**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Maryland Constitution – Congressional Districts – Requirements as to Territory, Form, and Boundaries**

FOR the purpose of proposing an amendment to the Maryland Constitution to specify that the districts for the election of members of the Congress of the United States shall conform to certain requirements as to territory, form, natural boundaries, and political subdivision boundaries; 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 12

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 806 – Senators Brinkley and Young**

AN ACT concerning

**Creation of a State Debt – Frederick County – Downtown Frederick Hotel and Conference Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Mayor and Board of Aldermen of the City of Frederick for certain development or improvement purposes; providing for disbursement of the loan proceeds; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 807 – Senators Madaleno, Brinkley, Colburn, Currie, Glassman, Jones–Rodwell, Manno, Montgomery, Peters, Ramirez, and Raskin**

AN ACT concerning

**Income Tax – Subtraction Modification – Land Acquisition for Transportation–Related Projects**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for a payment by the State Highway Administration for the acquisition of a portion of an individual's property for use in certain transportation projects; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain payments by the State Highway Administration.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–207(y)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 808 – Senators Madaleno, Astle, Brinkley, Colburn, Conway, Currie, DeGrange, Ferguson, Forehand, Glassman, Jones–Rodwell, King, Kittleman, Klausmeier, Manno, McFadden, Montgomery, Peters, Raskin, Rosapepe, and Simonaire**

AN ACT concerning

**Graduate Level Education – Exemption from Paying Nonresident Tuition –  
Members of the United States Armed Forces**

FOR the purpose of exempting certain individuals who attend certain institutions of higher education for graduate level education from paying certain tuition rates under certain circumstances; renumbering certain provisions of law; and generally relating to exempting members of the United States armed forces from paying nonresident tuition for graduate level education.

BY renumbering  
Article – Education  
Section 15–106.4(d)  
to be Section 15–106.4(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–106.4(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 15–106.4(d)  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 809 – Senators Madaleno, Brinkley, Colburn, Currie, DeGrange, Ferguson, Forehand, Glassman, Jones–Rodwell, King, Kittleman, Klausmeier, Manno, McFadden, Montgomery, Peters, and Simonaire**

AN ACT concerning

**Sales and Use Tax – Tax–Free Periods – University and College Textbooks**

FOR the purpose of designating certain periods each year to be tax–free periods during which an exemption from the sales and use tax is provided for the sale of certain textbooks purchased by certain individuals; defining a certain term; and generally relating to sales and use tax–free periods for the sale of university and college textbooks.

BY adding to

Article – Tax – General

Section 11–232

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 810 – Senator Madaleno**

AN ACT concerning

**Income Tax – Subtraction Modification – Commuter Expenses**

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain commuter expenses of an individual; reducing the amount allowed as a subtraction by a certain amount excluded from federal gross income; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain commuter expenses.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–207(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General  
Section 10–207(y)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 811 – Senator Astle**

AN ACT concerning

#### **Insurance – Fraud Violations – Fines and Administrative Penalties**

FOR the purpose of providing that a certain fine imposed for certain insurance fraud violations is mandatory and not subject to suspension; authorizing the Maryland Insurance Commissioner to impose an administrative penalty, not exceeding a certain amount, for certain insurance fraud violations under certain circumstances; authorizing the Commissioner, for certain insurance fraud violations, to order restitution to certain insurers or self-insured employers of certain proceeds paid; requiring the Commissioner to consider certain factors in determining the amount of a certain administrative penalty; providing that the Commissioner may bring a civil action for the nonpayment of a certain administrative penalty under certain circumstances; and generally relating to the authority of the Maryland Insurance Commissioner to impose fines and administrative penalties and order restitution for insurance fraud violations.

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 27–408  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 812 – Senator Astle**

AN ACT concerning

#### **Insurance – Suspected Fraud – Reporting Requirement**

FOR the purpose of altering the list of persons that are required to report suspected insurance fraud to certain persons and entities in a certain manner under certain circumstances; authorizing the withholding of certain information provided by certain persons under certain circumstances; making stylistic

changes; and generally relating to required reporting of suspected insurance fraud.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–802  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Finance.

**Senate Bill 813 – Senators Astle and Pugh**

AN ACT concerning

**Telephone Companies – Exemption from Prior Approval of Public Service Commission – Franchises, Securities, and Financing**

FOR the purpose of exempting telephone companies from obtaining prior approval of the Public Service Commission before taking certain actions affecting a franchise or a right to a franchise; exempting telephone companies from obtaining prior approval of the Commission before purchasing, acquiring, taking, or holding any part of the capital stock of another public service company; exempting telephone companies from obtaining prior approval of the Commission before taking certain actions relating to financing the telephone company, including the issuance of stock, bonds, securities, notes, or other evidence of indebtedness; and generally relating to exempting telephone companies from prior approval of the Commission on actions relating to franchises, securities, and financing.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 5–202, 5–203, 6–101, 6–102, and 6–103  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 814 – Senator Astle**

AN ACT concerning

**Public Safety – Elevators – Board Membership, Accessibility Lifts, and Lift Mechanics**

FOR the purpose of altering the membership of the Elevator Safety Review Board to add a member representing the elevator interior renovation industry and a

member representing the accessibility lift industry; authorizing the Board to establish certain fees for the application, issuance, and renewal of licenses issued to certain lift mechanics; requiring a person to be licensed by the Board as a lift mechanic before providing certain services; establishing requirements for an applicant for a lift mechanic license; authorizing a licensed lift mechanic to provide certain services; defining certain terms; making conforming changes; and generally relating to lift mechanics.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–801, 12–820(a), 12–824, and 12–826(e)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Public Safety  
Section 12–826(e), 12–827(d), and 12–832(e)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 815 – Senator Astle**

AN ACT concerning

#### **Criminal Law – Robbery – Oral Claim of Possession of a Dangerous Weapon**

FOR the purpose of prohibiting a person from committing or attempting to commit a robbery by making an oral claim that the person has possession of a dangerous weapon; establishing a certain penalty for a violation of this Act; and generally relating to the crime of robbery.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–403  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 816 – Harford County Senators**

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 rights and privileges; prohibiting the student member from voting on or participating in certain matters; making a certain technical change; and generally relating to the Harford County Board of Education and student member voting rights.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–6A–01(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 3–6A–01.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 817 – Senator Pipkin**

AN ACT concerning

#### **Health Insurance – Reimbursement for Covered Services Rendered by Telemedicine**

FOR the purpose of requiring certain health insurance carriers to reimburse a licensed health care provider for a covered service rendered by telemedicine to an insured or enrollee; requiring a covered service rendered by telemedicine to be reimbursed at a certain rate; making certain provisions of this Act applicable to health maintenance organizations; defining certain terms; providing for the application of this Act; and generally relating to health insurance reimbursement for covered services rendered by telemedicine.

BY adding to  
Article – Insurance  
Section 15–139  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Health – General  
Section 19–706(III)  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 818 – Senators Pipkin, Astle, Brinkley, Colburn, and Getty**

AN ACT concerning

**Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact Study for a Third Span**

FOR the purpose of explicitly stating the power of the Maryland Transportation Authority to conduct or coordinate a study of the environmental impact of a proposed transportation facility; requiring the Maryland Transportation Authority, in collaboration with certain other agencies, to commence the process, on or before a certain date, to conduct and complete an Environmental Impact Study for a third crossing of the Chesapeake Bay; requiring that the Environmental Impact Study be for a span at a certain location; and generally relating to an Environmental Impact Study for a third span of the Chesapeake Bay.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–205  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 819 – Senators Pipkin, Brinkley, Colburn, Edwards, Glassman, Jacobs, and Shank**

AN ACT concerning

**Private Property Rights – Regulatory Infringement – Compensation**

FOR the purpose of giving an owner of private property a cause of action under certain circumstances against the Department of Agriculture, the Department of the Environment, the Department of Natural Resources, or the Department of Planning if the application of a regulation adopted by the agency infringes on a private property right; providing that the cause of action shall be filed in a certain court; providing for the sum that a private property owner may recover under a certain cause of action; requiring the award or judgment under a certain cause of action to be paid from certain funds and prohibiting payment from the General Fund; providing for the venue of a certain cause of action; establishing a certain statute of limitations; providing for the application of this

Act; defining a certain term; and generally relating to the rights of private property owners.

BY adding to

Article – Courts and Judicial Proceedings  
Section 5–120  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 6–203(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 12–601 through 12–604 to be under the new subtitle “Subtitle 6.  
Infringement on Private Property Rights”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 820 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman,  
Klausmeier, Shank, and Stone**

AN ACT concerning

**Transportation – Toll, Fee, or Other Charge Increases – Notice and Public  
Comment**

FOR the purpose of requiring certain staff of the Maryland Transportation Authority to provide, by a certain date, public notice regarding a proposal to increase certain tolls, fees, or other charges; requiring the Authority to make the proposal available to the public in a certain manner; requiring the Authority to receive comments from the public at the meeting at which the Authority votes to implement the proposal; and generally relating to notice and public comments regarding a proposal to increase certain tolls, fees, or other charges by the Maryland Transportation Authority.

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 4–101(h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–312  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 821 – Senators Pipkin, Colburn, Glassman, Jacobs, and Shank**

AN ACT concerning

**Environment – Watershed Implementation Plan – Cap on Costs**

FOR the purpose of requiring each entity that prepares a Watershed Implementation Plan to prepare a cost assessment of certain costs associated with implementing the Plan through a certain period of time; requiring a certain cost assessment to be updated each year by a certain date; requiring the Department of the Environment to submit a certain report to the Governor and the General Assembly each year by a certain date; prohibiting an entity from implementing a Watershed Implementation Plan if a certain cost assessment exceeds a certain amount; prohibiting an entity of a Watershed Implementation Plan from continuing implementation if a certain cost assessment exceeds a certain amount; defining certain terms; and generally relating to a State Watershed Implementation Plan.

BY adding to  
Article – Environment  
Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8.  
Implementation of the Chesapeake Bay Total Maximum Daily Load”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 822 – Senators Pipkin, Colburn, Glassman, Jacobs, and Shank**

AN ACT concerning

**Environment – Watershed Implementation Plan – County Implementation**

FOR the purpose of providing that a local jurisdiction may not be required to implement certain activities or strategies of a State Watershed Implementation Plan unless certain funding is provided; defining certain terms; and generally relating to the local implementation of certain activities or strategies of a State Watershed Implementation Plan.

BY adding to

Article – Environment

Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8.  
Implementation of the Chesapeake Bay Total Maximum Daily Load”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 823 – Senators Pipkin, Brinkley, Colburn, Glassman, Jacobs, and Shank**

AN ACT concerning

**Environment – Watershed Implementation Plan – Ranking Best Management Practices**

FOR the purpose of requiring, on or before a certain date, the Department of the Environment to develop a certain list of certain best management practices in a certain manner; requiring the Department to include certain information in the list; requiring the Department to update the list annually; requiring the Department to publish the list on the Department’s Web site and to mail hard copies to each county in the State; and generally relating to best management practices under the State Watershed Implementation Plan.

BY adding to

Article – Environment

Section 4–801 and 4–802 to be under the new subtitle “Subtitle 8.  
Implementation of the Chesapeake Bay Total Maximum Daily Load”

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 824 – Senators Pipkin, Brinkley, Colburn, and Getty**

AN ACT concerning

**Transportation – Chesapeake Bay Bridge Authority**

FOR the purpose of establishing the Chesapeake Bay Bridge Authority to finance, construct, operate, and maintain the William Preston Lane, Jr. Memorial Chesapeake Bay Bridge and the parallel Chesapeake Bay Bridge; providing for the members, appointment, terms, chair, and staff of the Authority; prohibiting

the Maryland Department of Transportation from exercising jurisdiction or authority over the Chesapeake Bay Bridge; authorizing the Authority to take certain actions in the performance of its duties; authorizing the Authority to issue revenue bonds payable from certain fees and tolls for the purpose of financing a certain transportation facility project; providing that bonds issued by the Authority do not constitute a debt or pledge of the full faith and credit of the State or a political subdivision of the State; providing that bonds issued by the Authority do not obligate the State or a political subdivision of the State to impose any tax; requiring the Authority to determine certain matters concerning bonds it issues; providing for the issuance and execution of the bonds; authorizing the Authority to issue bonds to refinance the cost of a certain transportation facility project; authorizing the Authority to issue revenue refunding bonds for certain purposes; authorizing the Authority to issue interim certificates or temporary bonds; authorizing the Authority to issue bond anticipation notes; authorizing revenue bonds issued by the Authority to be secured by certain trust agreements; requiring certain fees and tolls designated by the Authority as security for bonds to be adjusted in a certain manner; providing that certain revenues of the Authority shall be deemed to be trust funds to be used only in a certain manner; authorizing the trustee or a holder of revenue bonds issued by the Authority to bring a legal action to enforce certain rights and compel the performance of certain duties; providing that bonds issued by the Authority are securities in which certain persons may invest and which may be deposited with certain persons; exempting revenue bonds issued by the Authority from taxation; defining certain terms; and generally relating to the creation of the Chesapeake Bay Bridge Authority to finance, construct, operate, and maintain certain transportation facilities projects.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 4–101(h)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation  
Section 4.5–101 through 4.5–412 to be under the new title “Title 4.5.  
Chesapeake Bay Bridge Authority”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Finance.

**Senate Bill 825 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman, Klausmeier, and Stone**

AN ACT concerning

**Maryland Transportation Authority – Audits – Statements Available Online**

FOR the purpose of requiring the Maryland Transportation Authority or an entity engaged by the Authority to annually audit the finances of each transportation facilities project; requiring the Authority to make certain audit statements available on its Internet site in a certain manner; defining a certain term; and generally relating to requiring audits and online posting of audit statements of the Maryland Transportation Authority.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 4–101(a), (b), and (h)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 4–211  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 826 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman, Jacobs, Kittleman, and Shank**

AN ACT concerning

**Local and Regional Planning and Land Use Powers – Prohibition on Restriction**

FOR the purpose of prohibiting the Department of Planning, the Office of Smart Growth, the Special Secretary of Smart Growth, or the Smart Growth Subcabinet from adopting regulations or taking certain actions that restrict the planning and land use powers of certain local governments or regional planning agencies; and generally relating to the authority of the Department of Planning, the Office of Smart Growth, the Special Secretary of Smart Growth, and the Smart Growth Subcabinet.

BY adding to  
Article – State Finance and Procurement  
Section 5–312  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 9–1401  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 9–1407  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 827 – Senator Pipkin**

AN ACT concerning

**Environment – Sewage Disposal Systems**

FOR the purpose of establishing that the State may not prohibit the installation of any on-site sewage disposal system until a certain amount of time after certain overflows at sewage pumping stations are fully mitigated and certain capital improvements are made to the sewage pumping stations responsible for the overflows; and generally relating to sewage disposal systems.

BY adding to  
Article – Environment  
Section 9–1110  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 828 – Senators Pipkin, Brinkley, Colburn, Getty, Glassman, Jacobs, Reilly, Shank, and Stone**

AN ACT concerning

**Maryland Transportation Authority – Fixing or Revising Tolls – Legislative Approval Required**

FOR the purpose of prohibiting the Maryland Transportation Authority from fixing or revising a toll on any part of any transportation facilities project unless the General Assembly approves the toll through legislation; prohibiting the Authority from charging and collecting a toll that exceeds a certain toll in effect

on or before a certain date unless the toll is approved by the General Assembly in accordance with this Act; making a technical change; and generally relating to tolls for the use of transportation facilities projects under the jurisdiction of the Maryland Transportation Authority.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–312  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Budget and Taxation.

**Senate Bill 829 – Senators Pipkin, Brinkley, Colburn, Edwards, Getty, Glassman, Jacobs, Kittleman, Reilly, and Shank**

AN ACT concerning

**Department of Planning – State Development Plan – Approval by the General Assembly**

FOR the purpose of requiring the Secretary of Planning to submit a State Development Plan to the General Assembly; prohibiting a certain Plan from being finalized until the Plan is approved by an Act of the General Assembly; requiring the Governor to file with the Secretary of State the Plan, part of the Plan, or a revision to the Plan, together with any comments made by the Governor after enactment of a law that approves the Plan; providing that, unless the Plan in existence on a certain date is modified or approved by an Act of the General Assembly on or before a certain date, the Plan may not have any force or effect; and generally relating to the approval of the State Development Plan by the General Assembly .

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 5–601  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5–605  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 830 – Senator Ramirez**

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Abandoned Property**

FOR the purpose of authorizing the governing body of a condominium or homeowners association to send a mortgagee certain notice that the property subject to the mortgage in the condominium or homeowners association has been deemed abandoned; providing that within a certain time period any fines, fees, assessments, or obligations owed to the governing body of the condominium or homeowners association in connection with the abandoned property shall have first lien priority under certain circumstances; defining certain terms; and generally relating to abandoned property in a condominium or homeowners association.

BY adding to

Article – Real Property

Section 11–110.1 and 11B–117.1

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 831 – Senators Ramirez, Frosh, Forehand, and Gladden**

AN ACT concerning

**Commercial Law – Consumer Protection – Credit Counseling and Legal Assistance Fund**

FOR the purpose of establishing the Credit Counseling and Legal Assistance Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Division of Consumer Protection in the Office of the Attorney General to administer the Fund; requiring the Division to adopt certain regulations; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the State Court Administrator to collect certain fees and pay the fees into the Fund; providing that investment earnings of the Fund do not accrue to the General Fund; defining a certain term; and generally relating to the Credit Counseling and Legal Assistance Fund.

BY adding to

Article – Commercial Law  
Section 13–207  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 7–202(g) and 7–301(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 832 – Senator Pipkin**

AN ACT concerning

#### **Department of Natural Resources – Office of Planning**

FOR the purpose of repealing provisions of law designating the Department of Planning as a principal department of State government and providing certain legal counsel to the Department of Planning; renaming the Department of Planning to be the Office of Planning and transferring the Office to the Department of Natural Resources; specifying that the head of the Office is the Director of the Office of Planning; specifying the duties of the Director; requiring the publisher of the Annotated Code of Maryland, under certain circumstances, to make certain corrections to the Code; making conforming changes; defining certain terms; and generally relating to the Office of Planning.

## BY renumbering

Article – State Finance and Procurement  
Section 5–310 and 5–311, respectively  
to be Section 3–610 and 3–611, respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

## BY transferring

Article – State Finance and Procurement  
Section 5–101 through 5–816, respectively, and the title “Title 5. State  
Planning”; and 5A–101 through 5A–406, respectively, and the title “Title  
5A. Division of Historical and Cultural Programs”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

## to be

Article – Natural Resources  
Section 1A–101 through 1A–816, respectively, and the title “Title 1A. State  
Planning”; and 1B–101 through 1B–406, respectively, and the title “Title  
1B. Division of Historical and Cultural Programs”  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

## BY repealing and reenacting, with amendments,

Article – State Government  
Section 2–201(e)(1)(ii), 8–201, and 11–103(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

## BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 1A–101; 1A–202 and 1A–203 to be under the amended subtitle “Subtitle  
2. Organization of Office and General Authority of Director”; 1A–301  
through 1A–309 to be under the amended subtitle “Subtitle 3. General  
Authority and Responsibilities of Office”; 1A–401 through 1A–408,  
1A–501 through 1A–509, 1A–602 through 1A–605, 1A–611, 1A–615,  
1A–703(a)(1)(iii), 1A–705, 1A–706(1), 1A–7A–02(a)(1)(i),  
1A–7B–01(c)(1)(iii)4. and (v) and (2)(iii), 1A–7B–02(1) and (6),  
1A–7B–03(a) and (h)(3), 1A–7B–04(b), 1A–7B–05(a)(3)(i) and (ii) and (c),  
1A–7B–06, 1A–7B–08, 1A–7B–09, 1A–805, 1A–806, 1A–809, 1A–812,  
1A–814(a)(7), 1B–101, 1B–303(a)(9)(ii), (b)(1)(iv)5., and (d)(2)(i) and (3)(v),  
1B–304(b)(1), 1B–313(c)(3), 1B–315(b)(2), 1B–318(c)(1)(ii) and (d),  
1B–325(a)(2), 1B–327(e)(1) and (l)(2), 1B–328(e)(2)(i), (g)(1), (h)(1), and  
(k)(2), 1B–329(e)(1), 1B–333(b) and (d)(1), 1B–334(c)(1), 1B–335(c)(3),  
1B–338, 1B–340(b) and (c)(1), 1B–341(c)(1), (f)(1), and (g)(2)(iii),  
1B–342(f), 1B–343(b) and (f), 1B–346(a)(1) and (2)(ii), (b)(1), and (c),  
1B–353(b), 1B–357, 1B–403(a), and 1B–404

Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)  
(As enacted by Section 2 of this Act)

BY repealing

Article – Natural Resources  
Section 1A–201 and 1A–204  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)  
(As enacted by Section 2 of this Act)

BY adding to

Article – Natural Resources  
Section 1A–201 and 1A–202  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)  
(As enacted by Section 2 of this Act)

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 1A–601, 1A–701, and 1A–801  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)  
(As enacted by Section 2 of this Act)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 2–203  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 833 – Senator Pipkin**

AN ACT concerning

#### **Regulations – Fees and Fines – Legislative Approval Required**

FOR the purpose of prohibiting a certain regulation from taking effect until the General Assembly takes certain action; and generally relating to the effective date of regulations.

BY repealing and reenacting, with amendments,

Article – State Government  
Section 10–117

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 834 – Senator Pipkin**

AN ACT concerning

**Transit Facilities – Farebox Recovery Deficiency – Payment by Political Subdivisions to State**

FOR the purpose of requiring a political subdivision to remit a certain amount of funds to the State if a certain recovery from fares and operating revenues for certain transit services in the political subdivision is less than a certain percentage of the total operating costs for the transit services in the political subdivision; providing for the apportionment of a certain remittance to the State among certain political subdivisions under a certain circumstance if certain transit services are provided by means of a certain transit facility that extends across more than one political subdivision; and generally relating to certain requirements for recovery of certain operating costs of certain transit services from certain revenues.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–208(b)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 7–208(b–2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 835 – Senator Pipkin**

AN ACT concerning

**State Development Plan – Conflicts with a County or Municipal Corporation**

FOR the purpose of requiring the Department of Planning and a certain county or municipal corporation to meet in good faith and seek to resolve a certain conflict between the State Development Plan and the county or municipal corporation

under certain circumstances; providing that the comprehensive plan, zoning laws, and local ordinances of a county or municipal corporation shall govern for a certain purpose if a certain conflict is not resolved; and generally relating to conflicts that may arise regarding the State Development Plan.

BY adding to

Article – State Finance and Procurement  
Section 5–606  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 836 – Senators Pipkin and Brinkley**

AN ACT concerning

**Teachers' Retirement and Pension Systems – Local Employer Contributions**

FOR the purpose of requiring the State Board of Education to provide for the calculation of a payment of a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring certain counties to pay a certain amount of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the State to pay, under certain circumstances, a certain portion of certain employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; altering the amount of employer contributions the State is required to pay for certain members of the Teachers' Retirement System or the Teachers' Pension System; providing for the method of payment each county is required to make to the Board of Trustees for the State Retirement and Pension System regarding a certain portion of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System; requiring the State Board of Education, the Maryland Higher Education Commission, and each county to submit certain information to the Board of Trustees on or before a certain date each year; requiring the Board of Trustees to make certain determinations based on certain information; providing for the application of this Act; defining certain terms; and generally relating to the payment of employer contributions for certain members of the Teachers' Retirement System or the Teachers' Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 21–304 and 21–308  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions  
Section 21–309.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 837 – Senators Pipkin and Brinkley**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**State Budget**

FOR the purpose of proposing an amendment to the Maryland Constitution authorizing the General Assembly to increase or add Executive Department items in the budget bill, subject to a certain limitation; providing for the veto of certain budget bill items; providing for the reversion to original appropriations of certain vetoed items in the budget bill; providing that certain vetoed items in the budget bill shall be void; authorizing the President of the Senate and the Speaker of the House of Delegates to convene in extraordinary session to consider whether to override a vetoed item in the budget bill; authorizing the General Assembly to override budget bill item vetoes; establishing the manner in which and the time at which budget bill items become law; clarifying language; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article II – Executive Department  
Section 17

BY proposing an amendment to the Maryland Constitution

Article III – Legislative Department  
Section 14 and 52(6)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 838 – Senators Pipkin and Brinkley**

AN ACT concerning

**Budget – Reductions of Appropriations**

FOR the purpose of altering the maximum reduction that the Governor can make to an appropriation in the State budget; requiring the Governor to present proposed reductions to the budget committees of the General Assembly within a certain period of time before seeking approval of the Board of Public Works; and generally relating to the State budget and reductions of appropriations.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7–213  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 839 – Senator Rosapepe**

AN ACT concerning

**College Affordability and Innovation Act of 2012**

FOR the purpose of requiring the Maryland Higher Education Commission to recognize, endorse, and promote competency-based postsecondary education as a certain component of Maryland's higher education system; requiring the Commission to analyze and eliminate certain barriers to the delivery, funding, and expansion of certain programs and partner with certain education providers to integrate certain programs and services into the Maryland higher education system; requiring the Commission to evaluate and recommend certain changes to remove certain barriers and report the results to the General Assembly on or before a certain date; requiring the Commission to develop and execute, in cooperation with Western Governors University (WGU), Excelsior College, and other comparable nonprofit institutions, a certain memorandum of understanding that supports and endorses analyzing and taking steps to reduce and remove certain obstacles for certain institutions, establishing certain articulation and transfer agreements between certain community colleges and certain institutions, examining, identifying, and sharing certain information for purposes of outreach and education, integrating certain institutions into certain plans, establishing certain institutions as a certain workforce training program in the State, recommending certain institutions as a certain option for Maryland adults in certain publications and Web sites, and incorporating certain institutions and competency-based postsecondary education as a resource in the Maryland State Plan for Postsecondary Education; requiring the Commission to convene a workgroup consisting of certain representatives of higher education and other stakeholders to review and make certain recommendations for updating certain regulations; requiring a certain review to include certain elements; requiring the Commission to develop and implement a certain plan for soliciting and engaging certain out-of-state institutions who may want to partner with certain in-State institutions of postsecondary

education to offer certain programs to certain students; requiring the Commission to determine certain incentives that would facilitate and encourage certain partnerships; and generally relating to encouraging and enhancing innovative postsecondary educational opportunities.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 840 – Senator Rosapepe**

AN ACT concerning

**Alcoholic Beverages – City of Laurel – Sales by License Holders**

FOR the purpose of requiring the City Council of the City of Laurel to make a certain determination regarding the granting of a license to sell alcoholic beverages in a certain building located within 500 feet of a church under certain circumstances; and generally relating to the sale of alcoholic beverages in the City of Laurel.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–217(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–217(e)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 841 – Senator Pinsky**

AN ACT concerning

**State Board of Dental Examiners – Licenses – Examination Requirements for Dentists and Dental Hygienists**

FOR the purpose of requiring certain limited licensees to pass a certain examination before the State Board of Dental Examiners is authorized to issue a certain license; clarifying that the Board or its designee will give a certain examination; altering certain examination requirements that certain dentists licensed in certain states are required to satisfy to be granted a certain license in this

State; altering certain examination requirements that certain dental hygienists licensed in certain states are required to satisfy to be granted a certain license in this State; defining certain terms; and generally relating to the State Board of Dental Examiners, licenses, and examination requirements for dentists and dental hygienists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 4–303.1(d) and 4–306  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 842 – Senator Pinsky**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Riverdale Park Youth and Community 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 Mayor and Town Council of the Town of Riverdale Park for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 843 – Senators Pinsky, Ferguson, Madaleno, and Montgomery**

AN ACT concerning

**Institutions of Postsecondary Education – Fully Online Distance Education Programs – Registration**

FOR the purpose of requiring certain institutions of postsecondary education that enroll certain students in certain online distance education programs to register with the Maryland Higher Education Commission before commencing or continuing to operate, do business, or function in the State within a certain period of time; prohibiting certain institutions from commencing or continuing to operate, doing business, or functioning in the State; requiring the Commission to give certain institutions certain notice under certain circumstances; authorizing certain institutions to request a certain hearing

under certain circumstances; providing certain institutions a certain right to judicial review; providing for a certain exception from the requirement for registration; requiring certain institutions to be accredited, submit certain information to the Commission, notify the Commission of certain changes, comply with certain principles of good practice, make public and publish certain information on the institution's Web site, comply with a certain refund policy and procedures, and be subject to certain complaint investigation; requiring the Commission to establish certain refund policies and procedures; requiring the payment of certain fees to be used for certain purposes; requiring the Commission to make public and post on its Web site the names of certain institutions under certain circumstances; authorizing the Commission to require certain institutions to furnish certain bonds or other financial guarantees under certain circumstances; authorizing the Commission to create a certain guaranty fund; providing for the use of a certain fund; authorizing certain students to make certain claims against a certain fund under certain circumstances; requiring certain institutions to pay a certain fee into a certain fund subject to certain exceptions; prohibiting the Commission from issuing a certain registration and requiring the Commission to revoke a certain registration under certain circumstances; authorizing the Commission to impose a certain penalty on certain institutions under certain circumstances; requiring the Commission to deposit certain monetary penalties into a certain fund; subjecting certain institutions to revocation of registration under certain circumstances; prohibiting certain institutions from enrolling certain students under certain circumstances; authorizing certain students to complete certain online distance education programs under certain circumstances; providing that certain persons are guilty of a misdemeanor and subject to certain fines and imprisonment for a certain period of time under certain circumstances; requiring certain institutions to submit certain data to the Maryland Longitudinal Data System; defining certain terms; and generally relating to institutions of postsecondary education that offer fully online distance education programs in the State.

BY repealing and reenacting, with amendments,

Article – Education

Section 11–202, 11–203, 11–204, and 24–707

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Education

Section 11–202.2

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 844 – Senators DeGrange, Astle, Brinkley, Colburn, Dyson,  
McFadden, and Peters**

AN ACT concerning

**Partnership for Student Education and Community Investment Tax Credit**

FOR the purpose of allowing a credit against the State income tax for contributions made to certain student assistance organizations; requiring the Department of Business and Economic Development to administer the tax credit; requiring an entity to submit an application to be a student assistance organization by a certain date each year; requiring a student assistance 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 a student assistance 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 Partnership for Student Education and Community Investment Tax Credit Reserve Fund; authorizing the Governor to include an appropriation to the Fund in the annual budget bill and providing the appropriation may not exceed a certain amount; 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 certain student assistance organizations.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–205(a) and 10–306(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 10–205(k), 10–306(g), and 10–731  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 845 – Senators King, Currie, Garagiola, Madaleno, Manno, Peters, Pugh, Ramirez, and Robey**

AN ACT concerning

**Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption**

FOR the purpose of exempting from the recordation tax and the State transfer tax the transfer of real property between a parent partnership or limited liability company and its subsidiary or between subsidiaries wholly owned by the same parent partnership or limited liability company under certain circumstances; exempting from the recordation tax and the State transfer tax the transfer of real property between a subsidiary partnership or limited liability company and its parent under certain circumstances; and generally relating to exempting certain transfers of real property between related partnerships or limited liability companies from the recordation tax and the State transfer tax.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 12–108(p) and 13–207(a)(9)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 846 – Senators King, Forehand, and Ramirez**

AN ACT concerning

**Vehicle Laws – Historic Motor Vehicles**

FOR the purpose of clarifying the types of motor vehicles that are eligible for registration as historic motor vehicles; increasing the age that a motor vehicle must attain before it may be registered as a historic motor vehicle; prohibiting certain historic motor vehicles from being used for certain purposes; requiring an applicant for registration of a historic motor vehicle to submit with the application a certification that the vehicle is insured by a certain vehicle insurance policy; altering a certain definition; and generally relating to historic motor vehicles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–936  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 847 – Senator King**

AN ACT concerning

**Income Tax – Subtraction Modification for Retirement Income**

FOR the purpose of altering the calculation of the maximum subtraction modification allowed under the Maryland income tax for certain retirement income for certain taxable years; including income from certain retirement plans within a certain subtraction modification for certain retirement income under certain circumstances; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain retirement income.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–209  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 848 – Senator King**

AN ACT concerning

**Education – Maintenance of Effort – Waivers**

FOR the purpose of requiring a county to apply to the State Board of Education for a waiver from the maintenance of effort requirement under certain circumstances; establishing a penalty for a county that fails to apply for a waiver and fails to fund the maintenance of effort requirement; establishing the following year's required maintenance of effort amount under certain circumstances; requiring the State Board to grant a waiver request if the county has exceeded the maintenance of effort requirement by a certain amount and has at least a certain local effort; altering certain dates by which a county and the State Board must take certain actions; requiring the State Superintendent of Schools to provide a preliminary assessment of a county's waiver request to the State Board; requiring the State Board to hold a public hearing at a certain time; requiring the State Board to consider certain factors when making a decision whether to grant a certain waiver; requiring the State Board to grant a waiver if a county has satisfied certain requirements; limiting the amount of a waiver by a certain amount; establishing the required maintenance of effort amount for the fiscal year following a waiver; defining certain terms; and generally relating to education funding.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–202(d)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(d)(7)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 5–202(d)(9)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 849 – Senator King**

AN ACT concerning

#### **Health Insurance – Dental Preventive Care – Coverage for Dental Cleanings**

FOR the purpose of requiring certain insurers, nonprofit health service plans, health maintenance organizations, dental plan organizations, and certain other persons to provide coverage for certain dental preventive care if certain conditions are met; prohibiting certain provisions of this Act from being construed to require coverage for a certain service; making certain requirements of this Act applicable to health maintenance organizations; defining certain terms; providing for the application of this Act; and generally relating to coverage for dental preventive care under health insurance.

BY adding to  
Article – Insurance  
Section 15–135.1  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Health – General  
Section 19–706(lIII)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 850 – Senator King**

AN ACT concerning

**Health Occupations – Qualifications for Licensure – Mortuary Science,  
Funeral Direction, and Apprenticeship**

FOR the purpose of altering the circumstances under which the State Board of Morticians and Funeral Directors is required to issue a mortician or funeral director license to certain individuals; requiring an individual who is seeking approval of an apprentice license to complete certain credits at a certain school or in a certain course that has both a certain accreditation and is approved by the Board; and generally relating to the requirements for licensure in mortuary science and funeral direction and for approval of an apprentice license.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–303(b)(3) and 7–306(d)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 851 – Senators King, Forehand, Garagiola, Madaleno, Manno,  
Montgomery, and Raskin**

AN ACT concerning

**Education – Maintenance of Effort – Waiver of Penalty**

FOR the purpose of waiving the penalty for not meeting the maintenance of effort requirement in a certain year; providing for the application of this Act; and generally relating to the funding of primary and secondary education.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 852 – Senators King, Brinkley, Colburn, DeGrange, Glassman,  
Jacobs, and Klausmeier**

AN ACT concerning

**Sales and Use Tax – Alcoholic Beverages – Calculation of Tax**

FOR the purpose of altering the definition of “taxable price” under the sales and use tax to include a mandatory gratuity charge or service charge in the nature of a tip for serving certain items to a group containing at least a certain number of individuals; altering the sales and use tax rate for a mandatory gratuity charge or service charge in the nature of a tip under certain circumstances; modifying the calculation of the sales and use tax rate applicable to charges for labor, materials, or property used in connection with the sale of an alcoholic beverage; and generally relating to the sales and use tax and alcoholic beverages.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 11–101(l)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 11–101(l)(5) and 11–104(h)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–104(g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 853 – Senator Klausmeier**

AN ACT concerning

#### **Baltimore County – Public School Employees – Collective Bargaining Units**

FOR the purpose of altering the definition of “public school employee” as it relates to collective bargaining units of employees in Baltimore County; altering the composition of a certain unit of certain employees in Baltimore County; establishing a certain unit of certain employees in Baltimore County; providing for a delayed effective date; and generally relating to collective bargaining units for public school employees in Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–401(e), 6–404(c), and 6–505(c)  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 854 – Senator Klausmeier (By Request – Baltimore County Administration)**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Neighbor-Space of Baltimore County**

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 County Executive and County Council of Baltimore County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 855 – Senator Raskin**

AN ACT concerning

**Corporations and Associations – Limited Liability Act – Revisions**

FOR the purpose of establishing that certain statutory provisions relating to limited liability companies apply unless otherwise agreed on in the limited liability company's articles of organization, in the operating agreement, or by unanimous consent; repealing the requirement that the purposes for which a limited liability company is formed be set forth in the articles of organization; altering the requirements for a certain resident agent; authorizing the conversion of a partnership to a limited liability company to be abandoned by a certain vote or agreement; repealing provisions relating to a member's authority regarding abandoning the business; authorizing an operating agreement to contain procedures related to meetings and voting; prohibiting a member from taking certain actions without the consent of certain members holding at least a certain amount of the interest in profits of a limited liability company; prohibiting a member from taking certain actions without the unanimous consent of the members; authorizing a meeting of the members to be called by written request of certain members holding a certain amount of the interests in the profits of a limited liability company; authorizing members of a limited liability company to participate in a meeting by certain means of communication if certain requirements are met; authorizing electronic transmission of certain required notices, consents, or communications;

authorizing a member to use certain means to authorize a certain person to act as a proxy; providing that a certain proxy is revocable under certain circumstances; clarifying certain standards governing the right to inspect and copy certain records; authorizing a limited liability company to keep certain information confidential for a certain time period, unless a certain agreement is executed; requiring a demand for certain protected information to be in writing and state the purpose of the demand; clarifying that only a certain economic interest may be assigned; clarifying that a certain assignment of an economic interest does not include the exercise of certain noneconomic interests; providing that assignment of all of a certain economic interest in a limited liability company forfeits certain noneconomic interests; providing that the pledge or grant of a security interest, lien, or encumbrance in or against a member's economic interest does not affect a member's noneconomic interest; authorizing a member to withdraw from a limited liability company prior to the dissolution and winding up of the limited liability company by giving a certain notice; authorizing the operating agreement to provide that a member may not withdraw or place certain limits on the ability of a member to withdraw; providing that assignment of all of a certain economic interest in a limited liability company causes a person to no longer be a member of the limited liability company; providing that a charging order applies to a certain economic interest of a certain debtor and only requires the limited liability company to pay to a certain creditor certain distributions; providing that a certain noneconomic interest of a certain debtor is not subject to a charging order; altering the circumstances under which a foreclosure of certain economic interests may be ordered; authorizing certain members to consent to the redemption of an economic interest with certain property before a foreclosure; repealing the requirement of unanimous consent for abandoning a certain proposed merger; providing that abandonment of a proposed merger requires the consent of certain members; making certain technical, stylistic, clarifying, and conforming changes; defining certain terms; and generally relating to limited liability companies.

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 1-101(t), 4A-101, 4A-102, 4A-203, 4A-204, 4A-209, 4A-210(a) and (c), 4A-211, 4A-401 through 4A-403, 4A-405, 4A-406, 4A-502 through 4A-505, 4A-601 through 4A-601.1, 4A-607, 4A-701, 4A-702, 4A-704 through 4A-706, 4A-709(c), 4A-801, 4A-902, 4A-904, 4A-906, 4A-918, 4A-1103, and 4A-1104

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Corporations and Associations

Section 4A-802

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY adding to

Article – Corporations and Associations  
Section 4A–403.1 and 4A–403.2  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 856 – Senator Raskin**

AN ACT concerning

**Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act**

FOR the purpose of establishing that certain communications made in the course of and relating to certain mediations may not be disclosed by the mediators, parties to the mediations, or certain persons who participate in or are present for the mediations, under certain circumstances; establishing certain exceptions for certain communications; providing for the application of this Act; defining certain terms; providing that this Act may be cited as the Maryland Mediation Confidentiality Act; and generally relating to confidentiality of mediation communications.

BY adding to

Article – Courts and Judicial Proceedings  
Section 3–1801 through 3–1806 to be under the new subtitle “Subtitle 18.  
Maryland Mediation Confidentiality Act”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 857 – Senator Raskin**

AN ACT concerning

**Health Care Malpractice Claims – Expert Witnesses – Admissibility of Insurance Coverage**

FOR the purpose of providing that the existence of professional liability insurance coverage is admissible under certain circumstances at the hearing of a claim or the trial of an action against a health care provider for alleged medical injury; providing that the existence of professional liability insurance coverage is admissible solely for a certain purpose; and generally relating to the admissibility of the existence of professional liability insurance coverage.

BY adding to

Article – Courts and Judicial Proceedings  
Section 10–922  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 858 – Senators Raskin, Colburn, Middleton, and Peters**

AN ACT concerning

**Public Library – Essential Community Service – Designation**

FOR the purpose of designating public libraries as providing essential community services during an emergency for certain purposes; and generally relating to public libraries.

BY adding to

Article – Public Safety  
Section 14–110.2  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 859 – Senators Raskin, Conway, Dyson, Forehand, Frosh, Garagiola, Jones–Rodwell, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, Rosapepe, Stone, and Young**

AN ACT concerning

**Higher Education – Collective Bargaining – Tenured Faculty, Adjunct Faculty, and Graduate Student Employees**

FOR the purpose of providing collective bargaining rights to certain tenured or tenure track faculty, adjunct faculty, and graduate students at certain public institutions of higher education; altering certain exceptions to the applicability of provisions of law governing collective bargaining for State employees; establishing separate collective bargaining units for certain tenured or tenure–track faculty, adjunct faculty, and certain graduate students; defining certain terms; altering a certain definition; and generally relating to collective bargaining for employees of public institutions of higher education.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions

Section 3–101, 3–102, and 3–403(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 860 – Senator Colburn**

AN ACT concerning

**Critical Area Commission – Buffer Standards – Hydric Soils**

FOR the purpose of exempting certain counties with a certain percentage of hydric soils from certain buffer standards; requiring the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays to adopt certain regulations; and generally relating to buffer standards in the Critical Area.

BY adding to

Article – Natural Resources  
Section 8–1808.12  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 861 – Senator Klausmeier**

AN ACT concerning

**Portable Electronics Insurance**

FOR the purpose of repealing a certain limitation on the authority of a vendor of portable electronics insurance to sell coverage under a policy of portable electronics insurance; altering the circumstances under which a vendor that collects premiums for portable electronics insurance need not keep the premiums in a segregated account; providing an exception under certain circumstances to a certain requirement to itemize premiums and charges and requiring a vendor to provide certain notice to a customer relating to those circumstances; authorizing an employee or authorized representative of a vendor to receive certain compensation under certain circumstances; altering certain information that must be submitted to the Maryland Insurance Commissioner in an application for a limited lines license to sell portable electronics insurance; requiring an applicant to provide certain information about certain individuals under certain circumstances; requiring a certain supervising entity to maintain a certain registry; requiring the registry to be open for inspection and examination after a certain period of time under certain

circumstances; clarifying that, if a customer cancels coverage, any unearned premiums will be refunded to the person paying the premium; providing for a certain supplemental education program under certain circumstances; authorizing the Commissioner to impose a certain penalty under certain circumstances; altering the methods by which certain required notice may be sent to covered customers and vendors under certain circumstances; defining certain terms; altering a certain definition; providing for the application of this Act; and generally relating to portable electronics insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 10–701, 10–703 through 10–707, and 19–903  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 862 – Senator Manno**

AN ACT concerning

#### **Public Safety – Building Exteriors – Inspection and Maintenance**

FOR the purpose of requiring each political subdivision to adopt by regulation a minimum safety inspection standard for the maintenance and inspection of building exteriors; requiring the Department of Housing and Community Development to adopt by regulation a General Property and Structural Maintenance Code; providing that the Code does not apply to certain residential structures and political subdivisions that have adopted minimum safety and inspection standards for the maintenance and inspection of building exteriors; authorizing the Department to authorize certain exemptions under the Code; requiring the Code to include certain standards and procedures related to the maintenance and inspection of building exteriors; requiring the Code to allow for exceptions under certain circumstances; requiring a political subdivision to enforce the Code in the political subdivision; authorizing a political subdivision to charge a fee to property owners for certain inspections; providing that a political subdivision may waive requirements under the Code under certain circumstances; requiring the Department to decide questions of interpretation regarding the Code; prohibiting a property owner from willfully violating the Code; establishing certain criminal penalties and fines for a violation of this Act; defining certain terms; and generally relating to the exterior maintenance and inspection of certain buildings.

BY adding to  
Article – Public Safety  
Section 12–203.1  
Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 863 – Senators Manno, Colburn, and Montgomery**

AN ACT concerning

**Public Schools – Dating Violence – Kristen Marie Mitchell Law**

FOR the purpose of adding dating violence to provisions of law requiring the reporting of incidents of certain other conduct by a county board of education; altering the content of a certain form and report, policies, and educational programs to include incidents of dating violence; requiring the State Board of Education to develop, by a certain date, a certain model policy that includes a prohibition on dating violence; altering the date by which each county board is required to submit a certain policy to the State Superintendent of Schools; altering certain provisions of law granting certain immunity to certain school employees; altering certain provisions of law relating to the legal rights of certain victims; defining certain terms; and generally relating to dating violence in the public schools.

BY repealing and reenacting, with amendments,

Article – Education

Section 7–424 and 7–424.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 864 – Senator DeGrange**

AN ACT concerning

**Gaming – Instant Bingo – Electronic Machines**

FOR the purpose of authorizing the operation of certain electronic instant bingo games using electronic machines; providing that the electronic instant bingo machines must have been in operation during a certain period or that the machines be in operation under a commercial bingo license on a certain date; prohibiting the operation of more than a certain number of electronic instant bingo machines than were in operation on a certain date; requiring the conduct of the gaming and the operation of certain electronic instant bingo machines to be consistent with certain provisions of law; clarifying that certain slot machines located in certain counties are not subject to certain provisions of law; clarifying that a

certain handheld device is not considered a slot machine; requiring the Office of the Attorney General, the Department of State Police, and local law enforcement units to construe certain statutory provisions in a certain manner; making a certain decision by the State Lottery Commission a final determination as to whether a certain gaming device is legal and being operated in a lawful manner; authorizing the State Lottery Commission to refer certain matters for enforcement to the Department of State Police under certain circumstances; requiring the Commission to certify and regulate the operation, ownership, and manufacture of certain gaming devices; stating that a gaming device that is not licensed or otherwise operated in compliance with certain provisions of law as of a certain date may not legally operate in the State; requiring the Commission to adopt certain regulations related to the approval and licensing of certain gaming devices; authorizing the Commission to make certain determinations and charge certain fees; imposing a certain State admissions and amusement tax rate on electronic bingo in Calvert County; altering the revenue attributable from a certain tax rate distributed to a certain special fund; providing for the distribution of certain revenue and proceeds to Program Open Space, the Boys and Girls Club of the Town of North Beach, and certain municipal corporations in certain years; requiring the Commission to certify the compliance with certain laws before certain electronic bingo machines may be authorized for use; authorizing a certain qualified organization to repair and replace electronic bingo machines under certain circumstances; requiring certain regulations to be at least as stringent as certain requirements; authorizing certain regulations to include certain provisions; and generally relating to the operation and regulation of instant bingo machines.

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 12–113 and 12–301(3)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Law  
Section 12–301.1 and 12–308  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 2–202 and 4–105(a–1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 865 – Senator Mathias**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Arrow Child and Family Ministries**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$154,000, the proceeds to be used as a grant to the Board of Directors of the Arrow Child and Family Ministries of Maryland for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 866 – Senator Conway**

AN ACT concerning

**Health Occupations Boards – Regulations – Scope of Practice Advisory Committees**

FOR the purpose of authorizing the Secretary of Health and Mental Hygiene to adopt regulations governing the practices of certain health occupations boards and commissions under certain circumstances; authorizing the Secretary to convene certain advisory committees for certain purposes; requiring the Secretary to notify certain committees of the General Assembly of certain appointments; requiring certain advisory committees to consist of certain members with certain expertise; requiring certain advisory committees to take into account certain considerations when reviewing scope of practice disputes; requiring certain advisory committees to complete their work within a certain time; specifying that certain advisory committees are subject to certain provisions of law relating to meetings; requiring certain advisory committees to report their findings to the Secretary; requiring the Secretary to issue a certain report to the General Assembly within a certain time of receiving certain reports from certain advisory committees; defining a certain term; and generally relating to health occupations boards, regulations, and scope of practice advisory committees.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 1–203  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 1–701 through 1–705 to be under the new subtitle “Subtitle 7. Scope of Practice Advisory Committees”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 867 – Senator Conway**

AN ACT concerning

**State Department of Education – Oral Health Education – Certification and Monitoring**

FOR the purpose of requiring certain county superintendents to make certain certifications regarding oral health education on or before a certain date each year; requiring the State Department of Education to support and facilitate certain education and develop a process to monitor certain implementation of certain education; 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 oral health education in the State.

BY adding to

Article – Education

Section 4–111.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 7–401(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 868 – Senator Conway**

AN ACT concerning

**Residential Child and Youth Care Practitioners – Certification  
– Modifications**

FOR the purpose of requiring the State Board for Certification of Residential Child Care Program Professionals, in consultation with the Children's Cabinet, to establish a tiered certification structure for residential child and youth care practitioners; requiring the Board to establish training requirements for the residential child and youth care practitioners certified by the Board; authorizing the Board to waive certain fees under certain circumstances; prohibiting the Board from requiring fees for the examination of qualified certified residential child and youth care practitioner applicants; establishing certain exceptions to the requirement that residential child and youth care practitioners be certified on or before a certain date; requiring, with certain exceptions, an applicant for a certificate as a residential child and youth care practitioner to have successfully completed a certain training program; requiring the Board to establish requirements and procedures for waiving the training program requirement for applicants with certain degrees under certain circumstances; requiring the Board to waive certain requirements for applicants who apply for certification on or before a certain date and present to the Board evidence of certain experience; requiring the Board to adopt regulations for approved training programs for residential child and youth care practitioners; requiring the regulations to include certain items; requiring the Board to post a list of approved training programs on its Web site; altering and repealing certain provisions of law relating to the age and training of direct care staff of residential child care programs that conflict with certain statutory requirements and requirements of this Act relating to residential child and youth care practitioners; providing for a delayed effective date for certain provisions of this Act; and generally relating to the certification of residential child and youth care practitioners by the State Board for Certification of Residential Child Care Program Professionals.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 20–101(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 20–205, 20–206, 20–301(b), and 20–302.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health Occupations  
Section 20–302.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services  
Section 8–704(10) and 8–1002  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

BY repealing  
Article – Human Services  
Section 8–1003  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 869 – Senator Conway**

AN ACT concerning

**Maryland Building Performance Standards – Hotels – Mandatory Master Control Device**

FOR the purpose of authorizing the Department of Housing and Community Development to adopt certain standards that are more stringent than standards in the International Building Code; requiring that guest rooms in newly constructed hotels be equipped with a certain device that turns off lighting fixtures after a certain period of time; authorizing the required device to control heating, ventilation, or air conditioning default settings in a certain manner; requiring the Department to adopt certain provisions of law as a part of the Maryland Building Performance Standards; providing for the application of this Act; defining certain terms; and generally relating to requirements for energy conservation devices in hotels under the Maryland Building Performance Standards.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–503  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Public Safety  
Section 12–510  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 870 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)**

**EMERGENCY BILL**

AN ACT concerning

**State Board of Physicians – Athletic Trainer Advisory Committee – Sunset Extension, Program Evaluation, and Revisions**

FOR the purpose of continuing the Athletic Trainer Advisory Committee in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provision relating to the statutory and regulatory authority of the Committee; requiring the chair of the Committee to serve in an advisory capacity to the State Board of Physicians and present to the Board a certain annual report; prohibiting certain individuals from providing certain services to the Committee or the Board under certain circumstances; prohibiting certain individuals from being appointed to the Committee under certain circumstances; requiring the Committee to submit a certain annual report to the Board; requiring the Board to consider all recommendations of the Committee, provide a certain explanation to the Committee under certain circumstances, and provide a certain report to the Committee a certain number of times each year; altering the conditions under which the Board is required to waive certain education requirements; altering the contents of an evaluation and treatment protocol; authorizing an athletic trainer to accept an outside referral from certain individuals under certain circumstances; authorizing a certain alternate supervising physician to assume a certain role under certain circumstances; prohibiting certain physicians, hospitals, institutions, alternative health systems, and other employers from employing certain individuals unless a certain condition is met; providing penalties for the violation of certain provisions of law; requiring certain physicians and employers to notify the Board within a certain period of time of the termination of an athletic trainer for certain reasons; requiring certain physicians and athletic trainers to notify the Board of the termination of a certain relationship under an evaluation and treatment protocol; requiring certain licensees to notify the Board in writing of certain changes; requiring the Board to disclose the filing of certain charges or certain notice on the Board's Web site; requiring the Board to create and maintain certain profiles on certain licensees that include certain information and a certain statement within a certain period of time under certain circumstances; requiring the Board to forward a certain copy of a licensee's profile under certain circumstances; requiring the Board to maintain a certain Web site relating to licensee profile information; requiring the Board to provide a certain mechanism for certain notification and correction of certain inaccuracies in a licensee's profile; defining certain terms; altering certain definitions; making this Act an emergency measure; and generally relating to the Athletic Trainer Advisory Committee.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–5D–01, 14–5D–05(e), 14–5D–06, 14–5D–08(d), 14–5D–11, and  
14–5D–20

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 14–5D–05(f), 14–5D–11.1, 14–5D–11.2, 14–5D–12.1, and 14–5D–16.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 871 – Senator Colburn**

AN ACT concerning

#### **Criminal Procedure – Community–Based Organizations – Registered Sex Offender Prohibition**

FOR the purpose of prohibiting certain registrants from entering onto real property that is owned or operated by a community–based organization that provides recreational activities for children under certain circumstances; and generally relating to registered sex offender prohibitions and community–based organizations.

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 11–722

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 872 – Senators Gladden, Benson, Conway, Currie, Ferguson, Frosh, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, and Raskin**

AN ACT concerning

#### **Death Penalty Repeal and Appropriation from Savings to Aid Survivors of Homicide Victims**

FOR the purpose of repealing the death penalty; repealing procedures and requirements related to the death penalty; providing that in certain cases in which the State has filed a notice to seek a sentence of death, the notice shall be considered withdrawn and it shall be considered a notice to seek a sentence of life imprisonment without the possibility of parole under certain circumstances; providing that certain persons serving life sentences are not eligible for Patuxent Institution under certain circumstances; altering the circumstance concerning parole for persons serving life sentences when the State sought a certain penalty; requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount for the State Victims of Crime Fund; making conforming and clarifying changes; and generally relating to the repeal of the death penalty.

BY repealing

Article – Correctional Services

Section 3–901 through 3–909 and the subtitle “Subtitle 9. Death Penalty Procedures”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing

Article – Criminal Procedure

Section 7–201 through 7–204 and the subtitle “Subtitle 2. Proceedings After Death Sentences”; 8–108, and 11–404

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 4–101(e)(2), 4–305(b)(2), 6–112(c), 7–301(d)(2), and 7–601(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–03(d)(1), 3–8A–06(a), 8–404, 8–420, 9–204, and 12–307

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 3–105(b), 3–106(a), 3–107(a), 4–204(b), 5–101(c), 7–101, 7–103(b), 7–107(b), and 11–916

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY repealing

Article – Criminal Law

Section 2–103(h), 2–202, 2–301, 2–303; and 2–401 and the subtitle “Subtitle 4.  
Review by Court of Appeals”

Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2–201(b), 2–304(a), 2–305, and 14–101

Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 8–505(b)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–812(a)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 873 – Senator Pugh**

AN ACT concerning

#### **Reduction of Lead Risk in Housing – Creation of Lead Poisoning Compensation Fund**

FOR the purpose of establishing the Lead Poisoning Compensation Fund; establishing the purposes of the Fund; establishing a Board of Trustees of the Fund; providing for the membership of the Board; establishing the duties of the Board; providing for the appointment of an Executive Director of the Fund; establishing the powers and duties of the Executive Director; providing for the appointment and removal of staff; requiring certain owners of residential rental property to pay a Lead Poisoning Compensation Fee; establishing the amount of and manner of collection of the fee; establishing that the Fund consists of certain money; providing for the uses of the Fund; establishing that the Fund is not a part of the State Treasury and that the debts and obligations of the Fund are not a debt or pledge of credit of the State; providing for the management and investment of the Fund; providing for auditing of the Fund; requiring the Fund to provide coverage for certain claims to certain persons; authorizing certain persons to obtain coverage from the Fund by paying a certain fee;

authorizing the Fund to provide coverage only if a claim is not covered by any other source of insurance or indemnity; requiring the Executive Director to settle, compromise, or defend claims against the Fund; authorizing the Executive Director to authorize certain employees to record certain telephone conversations under certain circumstances; providing for the establishment and review of certain reserves; limiting the maximum amount payable by the Fund; including employees and officials of the Fund in the definition of “State personnel” for purposes of the Maryland Tort Claims Act; defining certain terms; specifying the terms of the initial members of the Board of Trustees of the Fund; and generally relating to reducing lead risk in housing and providing compensation for injuries arising out of lead poisoning.

BY adding to

Article – Insurance

Section 32–101 through 32–502 to be under the new title “Title 32. Lead Poisoning Compensation Fund”

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)62. and 63.

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)64.

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 12–101

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 874 – Senator Ferguson**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Refillable Containers**

FOR the purpose of creating in Baltimore City a refillable container license; authorizing the Board of Liquor License Commissioners to issue the license to a holder of a Class B beer and light wine or a Class B beer, wine and liquor license issued for a restaurant; specifying that a holder of the license may sell beer for consumption off the licensed premises in a certain refillable container to a certain individual; prohibiting a holder of a license from displaying or providing shelving for beer for off-premises consumption; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain advertising, posting of notice, and public hearing requirements be met; specifying the term of the license; requiring that receipts collected under the license be included in a certain calculation of average daily receipts; specifying the hours of sale for the license; allowing a holder of the license to exercise the privileges of the license only if the licensed premises is open for business as a restaurant; authorizing the Board to adopt certain regulations; making a technical change; and generally relating to alcoholic beverages in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 1–102(a)(1) and (22) and 8–203(a) and (b)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 8–203(e)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–113(c)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 875 – Senator Ferguson**

AN ACT concerning

**Environment – Beverage Container Deposit Program – Recommendation**

FOR the purpose of requiring the Department of the Environment to recommend a beverage container deposit program to the Governor and the General Assembly on or before a certain date; requiring the recommended program to include certain requirements, determinations, and related provisions; and generally relating to recycling beverage containers.

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 876 – Senator Ferguson**

AN ACT concerning

**Public School Teachers and Administrators – Appeals and Layoffs – Rights and Limitations**

FOR the purpose of limiting the review by the State Board of Education of the decision of a county board to suspend or dismiss certain public school teachers and administrators to a review on the record; requiring public school employers to negotiate teacher layoff policies as part of collective bargaining; requiring the use of performance evaluations in policies relating to layoffs of public school teachers; 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 rights and limitations of rights of certain public school teachers and administrators regarding appeals and layoffs.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–202(a), 6–203(e), and 6–408(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 6–203(a), (c), (d), and (f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–408(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)  
(As enacted by Chapters 324 and 325 of the Acts of the General Assembly of 2011)

Read the first time and referred to the Committee on Finance.

**Senate Bill 877 – Senator Glassman**

AN ACT concerning

**Environment – Water Pollution Control – Reporting and Penalties**

FOR the purpose of requiring the Department of the Environment to publish annually on its Web site the total amount of sewage overflow into the Chesapeake Bay and its tributaries and the total amount of fines collected by the Department as a result of sewage overflows into the Chesapeake Bay and its tributaries; altering certain civil and administrative penalties for violations of certain provisions relating to water pollution control; and generally relating to water pollution control.

BY adding to

Article – Environment

Section 9–317

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–342

Annotated Code of Maryland

(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 878 – Senator Ferguson**

AN ACT concerning

**Education – Preschool for All – Establishment and Funding**

FOR the purpose of establishing certain funding for prekindergarten students by altering a certain definition to include prekindergarten students in the number of students enrolled; altering a certain funding calculation to phase in a reduction of certain funding; altering a certain definition to make certain children eligible for prekindergarten; requiring certain prekindergarten programs to be established by a certain school year; authorizing county boards to use qualified vendors to provide prekindergarten programs; requiring the State Department of Education to establish provider rates for qualified vendors; requiring the Department to provide a certain list to each local school system; requiring the Department to evaluate qualified vendors using certain criteria at

least every 3 years; authorizing the Department to evaluate qualified vendors more frequently and to revoke certification under certain circumstances; requiring the Department to adopt certain regulations; requiring the Department to develop a certain media campaign; authorizing the Department to adopt regulations; naming the Preschool for All program; requiring each prekindergarten program under the jurisdiction of a county board to be open during a certain number of hours over a certain number of months for certain students; authorizing certain funds to be used to provide funding for universal prekindergarten; defining certain terms; authorizing the State to allow certain licensees to offer certain table games; requiring the Comptroller to make certain distributions from certain proceeds; prohibiting certain licensees from being charged a certain fee; authorizing the State Lottery Commission to make certain determinations; making this Act subject to a certain contingency; authorizing certain funds to be used to provide funding for certain purposes; establishing a certain funding calculation for a certain year; providing for the application of this Act; submitting this Act to a referendum of the qualified voters of the State; and generally relating to education funding and access for prekindergarten.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–202(a)(1) and (5), 5–207(a)(1), and 7–103(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(a)(6), 5–207(a)(4), 7–101.1, and 7–103(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Education  
Section 7–103(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 7–103(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–30  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 879 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension Systems – Cost-of-Living Adjustments – Clarification**

FOR the purpose of clarifying that each type of cost-of-living adjustment to allowances provided by State retirement and pension systems does not apply to benefits paid in a single payment, the return of accumulated contributions, or benefits attributable to additional contributions; clarifying how cost-of-living adjustments are calculated; clarifying that a cost-of-living adjustment in a certain zero-adjustment fiscal year does not apply to a retiree's or former member's first cost-of-living adjustment; clarifying when certain cost-of-living adjustments begin; clarifying that certain retirees may not receive less than their initial allowance; altering a certain definition; defining a certain term; making technical and conforming changes; and generally relating to cost-of-living adjustments to allowances provided by State retirement and pension systems.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 29–401, 29–402, 29–404, 29–406, 29–407, 29–410, 29–412, 29–413, 29–416, 29–418, 29–421, 29–427, and 29–432

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 29–402

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 29–405, 29–411, 29–417, 29–422, 29–425, 29–426, 29–430, and 29–431

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 880 – Senator Jones–Rodwell**

AN ACT concerning

**State Retirement and Pension System – Transfer of Members Between Systems**

FOR the purpose of providing that if an individual who was a member of one of the several systems in the State Retirement and Pension System on a certain date becomes a member of another one of the several systems on or after a certain date, the individual shall be considered to be a new member of the subsequent system as of a certain date, but is subject to certain requirements that were in place for the subsequent system on a certain date; providing for the application of this Act; and generally relating to the transfer of members between the State retirement and pension systems on or after a certain date.

BY adding to

Article – State Personnel and Pensions  
Section 23–215.2, 24–208, 25–207, and 26–207  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 881 – Senator Jones–Rodwell**

AN ACT concerning

**Receipt of State Funds – Local Employee Requirement**

FOR the purpose of requiring the Board of Public Works to adopt regulations to require that at least a certain percent of the employees of any recipient of State funds are residents of the State; requiring the Board to adopt regulations to provide that if a contract with the State is to be performed at a certain location that at least a certain percent of the employees of the contractor reside within a certain radius of the location; requiring a unit of State government, when using competitive sealed bidding, to give a preference to a resident bidder if at least a certain percent of the employees of the resident bidder are residents of the State; and generally relating to a requirement that at least a certain percent of the employees of recipients of State funds be residents of the State.

BY adding to

Article – State Finance and Procurement  
Section 12–101(c) and 14–401.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 882 – Senator Jones–Rodwell**

AN ACT concerning

**Local Government – Investment in Our Youth (IO–YOUth) Programs**

FOR the purpose of authorizing a county to establish an Investment in Our Youth (IO–YOUth) Program; specifying the purpose of the Program; requiring a county that establishes a Program to establish a committee to carry out the Program; specifying that a nonprofit organization must meet certain requirements to be eligible for a grant from a Program; prohibiting a nonprofit organization that receives a grant from a Program from using the grant for certain purposes; requiring a county that establishes a Program to establish a special fund that is to be used to fund the Program; specifying that the Program is to be funded by certain funds and donations; providing that certain funds may be used only for funding the Program; authorizing an employer to make a deduction from the wage of an employee, under certain circumstances, for the benefit of a Program; requiring that a certain written request include certain information; requiring certain employers to pay certain funds to the Comptroller; requiring the Comptroller to distribute to the counties certain funds at certain times; requiring a county that receives certain funds to pay the funds into a certain special fund; specifying the amount of funds distributed to a county under a certain provision of this Act; requiring the Comptroller to distribute, at certain times, a certain amount of certain funds to an administrative cost account; allowing an individual or a corporation a subtraction modification under the Maryland income tax equal to the amount of a donation to a Program if the donation is not allowed as a deduction under the federal income tax; providing for the construction of a certain provision of this Act; providing for the application of certain provisions of this Act; defining certain terms; and generally relating to Investment in Our Youth (IO–YOUth) Programs.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 25–101 through 25–104 to be under the new title “Title 25. Investment in Our Youth (IO–YOUth) Programs”

Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–208(a) and 10–308(a)

Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to

Article – Tax – General  
Section 10–208(r)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–308(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 883 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Video Lottery Facility and Video Lottery Concessionaire Licenses**

FOR the purpose of creating in Baltimore City a Class BWL–VLF (video lottery facility) beer, wine and liquor license and a Class BWL–VLC (concessionaire) beer, wine and liquor license; exempting the video lottery facility license and the concessionaire license from certain fees; specifying that the Board of Liquor License Commissioners may issue a video lottery facility license for a video lottery facility that contains one or more food service facilities, bars, or lounges; specifying that a video lottery facility license may be issued to an individual or entity that meets certain requirements; providing that an applicant for the license need not meet a location, voting, or residency requirement; providing that the video lottery facility license authorizes the licensee to sell beer, wine, and liquor by the drink and by the bottle on the premises of the video lottery facility, for consumption anywhere in the facility or on grounds controlled by the licensee as defined in the video lottery facility license; authorizing the Board to issue a concessionaire license to one or more concessionaires operating in a video lottery facility; authorizing a concessionaire licensee to sell beer, wine, and liquor on the premises of the concessionaire for consumption anywhere in the video lottery facility or on grounds controlled by the video lottery facility licensee as defined in the video lottery facility license; specifying certain fees; specifying that an off–sale privilege is not conferred by a video lottery facility license or a concessionaire license; authorizing that beer, wine, and liquor purchased under a video lottery facility license or a concessionaire license may be taken anywhere in a video lottery facility or on grounds controlled by the video lottery licensee; specifying that a video lottery facility license and a concessionaire license authorize the playing of music and dancing; specifying

certain days and hours of sale for the video lottery facility and concessionaire licenses; specifying that video lottery facility and concessionaire licenses and licensees are subject to all laws and regulations applicable to the sale of alcoholic beverages not inconsistent with this Act; providing for the application to certain persons of certain penalties and sanctions for violations occurring on certain premises; defining certain terms; and generally relating to alcoholic beverages and video lottery facilities in Baltimore City.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 6–201(d)(6)

Annotated Code of Maryland

(2011 Replacement Volume)

BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(d–1)

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 884 – Senators Jones–Rodwell, Montgomery, Ramirez, and Rosapepe**

AN ACT concerning

**Transportation – Highway Construction Training and Supportive Services**

FOR the purpose of requiring the State Highway Administration to use the maximum amount of certain federal funds available under a certain provision of federal law for highway construction training and supportive services, including skill improvement programs; requiring the Administration to submit a certain report by a certain date each year to certain committees of the General Assembly; requiring the report to include certain information; and generally relating to the use of federal funds for highway construction training.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 8–502

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Transportation

Section 8–508

Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Budget and Taxation.

**Senate Bill 885 – Senator Peters**

AN ACT concerning

**Correctional Services – Employee Caseloads – Disciplinary Actions**

FOR the purpose of requiring the Division of Parole and Probation to establish a certain standard caseload for parole and probation employees; requiring the caseload standard to be considered during employee disciplinary actions; and generally relating to the performance of Division of Parole and Probation employees.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 6–104  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Correctional Services  
Section 6–117  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 886 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Hamptons at Oak Creek  
– Security Equipment**

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 Hamptons at Oak Creek Homeowners Association for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 887 – Senator Peters**

AN ACT concerning

**State Lottery Agency – Veterans Lottery – Established**

FOR the purpose of requiring the State Lottery Agency to conduct a certain annual lottery for the benefit of the Maryland Veterans Trust Fund; requiring the Agency to deposit into the Fund a percentage of the proceeds, after certain expenses of the veterans lottery; requiring the Agency to meet certain advertising criteria in conducting the veterans lottery; and generally relating to lotteries conducted by the State Lottery Agency.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–120 and 9–913  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 9–120.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 888 – Senators Montgomery, Ramirez, and Stone**

AN ACT concerning

**Pesticides – Dealer Permits and Applications for Certified Applicators –  
Background Checks**

FOR the purpose of requiring a certain background check for a person applying for a pesticide dealer permit or to become a certain certified applicator; authorizing the Department of Agriculture to charge a fee to cover costs associated with certain background checks under certain circumstances; and generally relating to pesticide dealer permits, applications for certified applicators, and background checks.

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 5–207

Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 889 – Senator Stone**

AN ACT concerning

**Criminal Law – Misdemeanor Possession of Child Pornography – Statute of Limitations**

FOR the purpose of altering the period of time within which a prosecution for misdemeanor possession of child pornography must be instituted after the offense was committed; and generally relating to the statute of limitations for misdemeanor possession of child pornography.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 5–106(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 5–106(bb)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 11–208  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 890 – Senator Stone**

AN ACT concerning

**Public Safety – Department of State Police – Yellow Dot Program**

FOR the purpose of establishing the Yellow Dot Program in the Department of State Police in order to provide a means to alert emergency responders to health-related information in the event a Program participant is involved in a

vehicle emergency and is unable to communicate; providing that a Program participant, by affixing a yellow dot decal to a vehicle, consents to a certain search of the vehicle's glove compartment or glove box by emergency responders under certain circumstances; requiring the Department to design and make available certain materials necessary to implement and administer the Program; requiring the Department to publicize the Program and distribute Program materials in cooperation with the Motor Vehicle Administration; and generally relating to the Yellow Dot Program.

BY adding to

Article – Public Safety

Section 2–901 through 2–903 to be under the new subtitle “Subtitle 9. Yellow Dot Program”

Annotated Code of Maryland

(2003 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 891 – Senator Brochin**

AN ACT concerning

#### **Health – Lyme Disease – Patient Information and Admissibility of Test Results**

FOR the purpose of requiring the Department of Health and Mental Hygiene to develop and make available to licensed physicians a certain patient information sheet on Lyme disease; authorizing a licensed physician to give the patient information sheet to certain patients; prohibiting a certain laboratory test from being admitted as certain evidence in certain proceedings; defining certain terms; and generally relating to Lyme disease information and test results.

BY adding to

Article – Health – General

Section 18–405

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 892 – Senators Peters, Colburn, King, Madaleno, Manno, McFadden, and Robey**

AN ACT concerning

#### **Gaming – Video Lottery Terminals and Table Games**

FOR the purpose of authorizing the awarding of an additional video lottery operation license and a certain number of additional video lottery terminals for a video lottery facility in a certain location in Prince George's County; repealing a certain prohibition against an individual or business entity owning an interest in more than one video lottery facility; repealing certain prohibitions against a video lottery operation licensee providing food or alcoholic beverages to individuals at no cost; altering the amount the Comptroller pays to a video lottery operation licensee from the proceeds of video lottery terminals; specifying the allocation of proceeds of video lottery terminals at a certain video lottery facility in Prince George's County; creating a State Capital Account as a special, nonlapsing fund; specifying the purpose of the Account; requiring the Comptroller to account for the Account; specifying the contents of the Account; providing for the investment of money in and expenditures from the Account; requiring that investment earnings accrue to the Account; specifying that expenditures may be allocated only for certain purposes; prohibiting the Video Lottery Facility Location Commission from awarding a video lottery facility operation license for a facility in a county where a majority of the voters voting on a certain referendum voted against the referred law; repealing a certain prohibition against a holder of a video lottery operation license or any other person with a certain interest in the Ocean Downs racetrack or video lottery facility from building or operating certain structures within a certain location or offer to patrons of the video lottery facility the playing of live music or certain other live entertainment under certain conditions; specifying that certain video lottery operation license fees accrue to an economic development fund to be established by the governing body of Prince George's County; authorizing the holder of a video lottery operation license to offer table games in the State; specifying certain distributions of proceeds of table games; prohibiting the charging of a certain license fee; specifying the types of table games that may be authorized in the State; authorizing the State Lottery Commission to determine the suitability of certain table games under certain circumstances; requiring certain legislation under certain circumstances; making a certain technical correction; submitting this Act to a referendum of the qualified voters of the State for their adoption or rejection; and generally relating to gaming in the State.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–1A–05(a) and (d), 9–1A–24, 9–1A–27, and 9–1A–36(f) through (j) and  
(q)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Government  
Section 9–1A–35.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 893 – Senator Jones–Rodwell**

AN ACT concerning

#### **Coaches – Sexual Contact with Minors – Prohibition**

FOR the purpose of prohibiting a certain coach from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances; providing for a certain statute of limitations for the prosecution of a violation of this Act; defining a certain term; and generally relating to a sexual offense involving a coach and a minor under certain circumstances.

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 3–307  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 3–308  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 5–106(z)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 894 – Senator Jones–Rodwell**

AN ACT concerning

**Baltimore City – Representation of Child Support Enforcement  
Administration – Transfer of Employees**

FOR the purpose of requiring that, if the Office of the Attorney General hires certain employees of the Office of the State’s Attorney for Baltimore City who were providing certain services for the Child Support Enforcement Administration during a certain period, the employees shall be placed in certain positions in the State Personnel Management System and receive certain employment rights, service credit for certain purposes, certain annual or sick leave, and certain rights as a member of the Employees’ Pension System of the State of Maryland and for determining eligibility for certain other benefits; providing certain exceptions for certain employees who retire or do not transfer service credit from the Employees’ Retirement System of the City of Baltimore; requiring Baltimore City, under certain circumstances, to make certain payments to certain employees and to transfer certain pension contributions in a certain manner; declaring certain findings and the intent of the General Assembly; and generally relating to the transfer of certain employees from the Office of the State’s Attorney for Baltimore City to the Office of the Attorney General.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 10–115(g)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**INTRODUCTION OF BILLS**

**Senate Bill 895 – Senator Conway**

AN ACT concerning

**Maryland State Board of Morticians and Funeral Directors – Permits and  
Registration Required to Remove and Transport Human Remains**

FOR the purpose of requiring a mortuary transport service to hold a permit issued by the Maryland State Board of Morticians and Funeral Directors before removing or transporting human remains in this State; authorizing the Board to restrict the operations of certain permit holders; establishing certain application requirements for obtaining a permit; requiring a mortuary transport service to meet certain standards to qualify for a permit; requiring permit holders to use vehicles that have passed an inspection by certain inspectors; establishing the term and procedures for the renewal of a permit; requiring that certain signs and advertisements display the name that appears on a permit; requiring that individuals employed by certain permit holders be registered with the Board before removing and transporting human remains; establishing certain requirements for obtaining registration; requiring the Board to register an individual who meets certain standards; requiring that registered transporters treat certain decedents with certain dignity and display a certain permit; authorizing the Board to deny a permit or registration to an applicant, reprimand a permit holder or registered transporter, or suspend or revoke a permit or registration under certain circumstances; providing for certain criminal and civil penalties; defining certain terms; and generally relating to the Maryland State Board of Morticians and Funeral Directors and requiring permits and registration for removing and transporting human remains.

BY renumbering

Article – Health Occupations

Section 7–601 and 7–602, respectively, and the subtitle “Subtitle 6. Short Title; Termination of Title”

to be Section 7–701 and 7–702, respectively, and the subtitle “Subtitle 7. Short Title; Termination of Title”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 7–101(a), (d), (k), (l), and (p)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 7–601 through 7–606 to be under the new subtitle “Subtitle 6. Mortuary Transport Services”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 896 – Senator Conway**

AN ACT concerning

**Baltimore City – Gaming – Electronic Bingo**

FOR the purpose of authorizing certain qualified organizations to operate an electronic bingo machine or an electronic tip jar or paper pull tab machine in Baltimore City; authorizing the Baltimore City Police Commissioner to issue certain licenses; providing that a certain machine is subject to a certain State tax rate and the payment of a certain State tax; requiring the Commissioner to adopt certain regulations; altering a certain term; and generally relating to gaming in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–301(3)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–502  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 13–511  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 897 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)**

AN ACT concerning

**State Board of Physicians – Allied Health Advisory Committees – Sunset Extension and Program Evaluation**

FOR the purpose of continuing certain allied health advisory committees under the State Board of Physicians in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the committees; altering to a certain date the termination provision related to the Perfusion Advisory Committee; requiring certain chairs of certain committees to

serve in a certain capacity to the Board and present to the Board certain annual reports; prohibiting certain individuals from providing certain services to certain committees or to the Board under certain circumstances; prohibiting certain individuals from being appointed to certain committees under certain circumstances; requiring certain committees to submit certain annual reports to the Board; requiring the Board to consider all recommendations of certain committees, provide a certain explanation to certain committees under certain circumstances, and provide a certain report to certain committees a certain number of times each year; requiring the Board to disclose certain filings of charges and initial denials of licensure on the Board's Web site; requiring the Board to create and maintain certain profiles that include certain information on the Board's Web site; requiring that license profiles include a certain disclaimer; requiring the Board to forward a written copy of certain profiles to a person under certain circumstances; requiring the Board to provide a mechanism for correcting errors in certain profiles; requiring the Polysomnography Professional Standards Committee to elect a chair every certain number of years; repealing the requirement that the Board assess a certain fee under certain circumstances; requiring the Board to develop and implement a certain recruitment plan on or before a certain date; requiring the Board, in consultation with certain persons, to adopt certain regulations on or before a certain date; requiring the Board to issue a license to an individual under a certain provision of law under certain circumstances; requiring the Board to submit a certain report to the Department of Legislative Services; providing for the effective date of certain provisions of this Act; and generally relating to the Respiratory Care Professional Standards Committee, the Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee, the Polysomnography Professional Standards Committee, the Perfusion Advisory Committee, and the Physician Assistant Advisory Committee under the State Board of Physicians.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14-5A-06(d), 14-5A-07, 14-5A-25, 14-5B-05(c), 14-5B-06, 14-5B-21, 14-5C-07, 14-5C-25, 15-202(e), 15-205, and 15-502

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 14-5A-06(e), 14-5A-18.1, 14-5B-05(f), 14-5B-15.1, 14-5C-06(d) and (e), 14-5C-18.1, 15-202(f), and 15-316.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing

Article – Health Occupations

Section 15-310(e)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–5E–06(d), 14–5E–07, and 14–5E–25  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 588 of the Acts of the General Assembly of 2011)

BY adding to  
Article – Health Occupations  
Section 14–5E–06(e) and 14–5E–18.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)  
(As enacted by Chapter 588 of the Acts of the General Assembly of 2011)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

## INTRODUCTION OF JOINT RESOLUTIONS

**Senate Joint Resolution 4 – Senators Pugh, Benson, Conway, Jones–Rodwell, Manno, McFadden, Montgomery, and Raskin**

A Senate Joint Resolution concerning

### **National Harriet Tubman Day**

FOR the purpose of requesting that the President of the United States declare a certain day as National Harriet Tubman Day.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Joint Resolution 5 – Senators Pugh, Benson, Conway, Forehand, Jones–Rodwell, Manno, McFadden, Montgomery, and Raskin**

A Senate Joint Resolution concerning

### **Gift of a Statue of Harriet Tubman to the United States Government**

FOR the purpose of requesting that the Governor authorize the gift of a statue of Harriet Tubman to the United States government; requesting the Governor to request the United States Congress to place the statue in a certain building; requesting the Governor to establish the Harriet Tubman Statue Commission

that, under the supervision and direction of the State Treasurer, would raise certain funds and be composed of certain members; and generally relating to the gift of a statue of Harriet Tubman to the United States government.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Joint Resolution 6 – Senators Colburn, Currie, Mathias, Middleton, and Raskin**

A Senate Joint Resolution concerning

**Health – Prostate Cancer Screening**

FOR the purpose of requesting the Congress of the United States to seek the withdrawal of the United States Preventive Services Task Force draft recommendations against prostate-specific-antigen screening for prostate cancer for men in all age groups.

Read the first time and referred to the Committee on Finance.

**Senate Joint Resolution 7 – Senator Jones–Rodwell**

A Senate Joint Resolution concerning

**International Education and Foreign Exchange Programs – Support**

FOR the purpose of urging the State Board of Education to encourage students, teachers, administrators, and policymakers to participate in international education and foreign exchange programs; urging the State Department of Education to take certain steps; and generally relating to the support of international education and foreign exchange programs.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 522 – Senators Shank, Brinkley, Colburn, Edwards, Klausmeier, and Rosapepe**

AN ACT concerning

**State Highway Administration – Permits – Business Access to State Highways**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 119)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #4**

**Senate Bill 23 – Senator Reilly**

AN ACT concerning

**Public Safety – Elevator Safety Review Board – Membership**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43    Negative – 4    (See Roll Call No. 120)

The Bill was then sent to the House of Delegates.

**Senate Bill 30 – Senators Klausmeier and Kittleman**

AN ACT concerning

**Injured Workers’ Insurance Fund – Cancellation of Policies – Failure to Pay a Premium**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 121)

The Bill was then sent to the House of Delegates.

**Senate Bill 49 – ~~Senator Astle~~ Senators Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Muse, and Pugh**

AN ACT concerning

**Horse Racing – Maryland–Bred Race Fund – Administration**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 122)

The Bill was then sent to the House of Delegates.

**Senate Bill 121 – Chair, Finance Committee (By Request – Departmental – Maryland Health Insurance Plan) and Senators Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Muse, and Pugh**

AN ACT concerning

**Senior Prescription Drug Assistance Program – Sunset Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 123)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 125)

**ADJOURNMENT**

At 8:35 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 7, 2012.

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**Annapolis, Maryland**  
**Tuesday, February 7, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:12 A.M.

Prayer by Father Sy Peterka, Immaculate Conception and St. Cecilia Churches of Baltimore, guest of Senator Gladden.

(See Exhibit A of Appendix III)

The Journal of February 3, 2012 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 127)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 251 – Senator James N. Mathias, Jr.:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
University of Maryland Eastern Shore  
in recognition of  
the 125th Anniversary of its founding as an institution educating children of freedmen  
and descendants of  
former slaves to become one of America's  
prestigious Historically Black Colleges.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 7th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 128)

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #2**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 51 – Senator Ferguson**

**EMERGENCY BILL**

AN ACT concerning

**Baltimore City – Board of Liquor License Commissioners – Transfer of  
License**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 66 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages Licenses – Class C-3 Club License**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 67 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages Licenses – Residency Requirement for  
Applicants**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 103 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Hours for Sale**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 104 – Senator Colburn**

AN ACT concerning

**Dorchester County – Sailwinds Park, Inc. – Service of Alcohol – Wristbands**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 105 – Senator Colburn**

EMERGENCY BILL

AN ACT concerning

**Dorchester County – Turkey Hunting on Private Property – Sundays**

Favorable report adopted.

FLOOR AMENDMENT

**SB0105/643626/1**

BY: Senator Colburn

AMENDMENTS TO SENATE BILL 105

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Dorchester” insert “Caroline County and”; and in line 4, after “in” insert “Caroline County and”.

AMENDMENT NO. 2

On page 2, in line 23, after “IN” insert “CAROLINE COUNTY AND”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 106 – Senator Colburn**

AN ACT concerning

**Talbot County – Alcoholic Beverages Violations – Issuance of Citations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #2**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 47 – Senator Madaleno****EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2002 and 2009 – Montgomery County – MacDonald Knolls Center**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 326 – Senator DeGrange**

EMERGENCY BILL

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Anne Arundel County –  
Benson–Hammond House**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON FINANCE REPORT #2**

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 174 – Senators Klausmeier, Kittleman, Middleton, and Muse**

AN ACT concerning

**Subsequent Injury Fund and Uninsured Employers’ Fund – Assessments on  
Settlement Agreements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 187 – Chair, Finance Committee**

AN ACT concerning

**State Commission of Real Estate Appraisers and Home Inspectors – 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 47 Members present.

(See Roll Call No. 129)

**ADJOURNMENT**

At 10:38 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 8, 2012.

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**Annapolis, Maryland**  
**Wednesday, February 8, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:11 A.M.

Prayer by Reverend James Farmer, Severna Park United Methodist Church, guest of Senator Reilly.

(See Exhibit A of Appendix III)

The Journal of February 7, 2012 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 131)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 254 – Senator Nathaniel J. McFadden:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Ambassador Tebelelo Mazile Seretse  
in recognition of  
your prestigious accomplishments and dedicated service earning you the esteemed  
position of Ambassador of the Republic of Botswana to the United States of America.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 8th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 132)

**INTRODUCTION OF BILLS**

**Senate Bill 898 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Largo High School PTSA Track Renovation**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$245,000, the proceeds to be used as a grant to the Prince George’s County Board of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 899 – Senators Gladden, Kelley, Klausmeier, Raskin, and Stone**

AN ACT concerning

**Correctional Services – Correctional Officer – Emergency Suspension Rescinded**

FOR the purpose of providing that a State correctional officer who receives an emergency suspension without pay after being charge with a felony and who is not convicted of the felony shall have the emergency suspension rescinded and any lost time, compensation, status, and benefits restored; and generally relating to the rights of a State correctional officer.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 10–913  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 900 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – William Donald Schaefer Memorial Garden**

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 Charlestown Community, Inc. for certain development or improvement purposes; providing

for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 901 – Senator Klausmeier**

AN ACT concerning

**Credit Regulation – Retail Installment Sales and Closed End Credit – Debt Cancellation Agreements – Definitions**

FOR the purpose of altering the definition of “debt cancellation agreement”, for purposes of certain provisions of law governing retail installment sales and closed end credit, to include an agreement under which the outstanding balance of a loan is reduced by the actual cash value of a certain motor vehicle at the time of loss; altering the definitions of “outstanding balance” and “remaining loan balance” to exclude any other items as agreed to by the parties and stated in the debt cancellation agreement; and generally relating to credit regulation and debt cancellation agreements.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 12–601(a) and 12–1001(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–601(h) and (p) and 12–1001(h) and (l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 902 – Senators Raskin, Brinkley, Forehand, Getty, King, Klausmeier, Madaleno, and Peters**

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; specifying certain property that is subject to forfeiture; specifying certain conditions to exclude property from forfeiture; 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; specifying certain standards and exceptions regarding the seizure of motor vehicles; requiring a certain law enforcement officer to recommend that a motor vehicle be forfeited under certain circumstances; requiring that a forfeiting authority surrender a motor vehicle on request to the owner under certain circumstances; specifying conditions under which an owner may obtain possession of seized property; specifying the time when seizure of real property occurs; authorizing an owner or owner's tenant to remain in possession of seized real property under certain circumstances; prohibiting an owner of real property from taking certain actions; specifying certain procedures for the conduct of forfeiture proceedings, including the filing of complaints and answers, posting and publishing of notice, and conducting hearings for real property and other property; specifying certain restrictions on forfeiture proceedings on property used as the principal family residence; specifying certain powers of a court in a certain forfeiture proceeding; requiring a court to issue a certain order after a full hearing under certain circumstances; 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; specifying the terms of sale of forfeited property; specifying the law governing the sale of certain collateral; requiring certain proceeds from the sale of certain property to be distributed in a certain manner; requiring lienholders to take certain actions before exercising the right to sell certain property and after the redemption of certain property; specifying the effect of this Act; 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 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11-910(d)  
Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

BY adding to

Article – Criminal Procedure

Section 11–920; and 13–501 through 13–535 to be under the new subtitle

“Subtitle 5. Violations of the Human Trafficking Law”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 903 – Senator Astle**

AN ACT concerning

#### **Health Insurance – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists**

FOR the purpose of altering certain requirements a pharmacy benefits manager must comply with when conducting an audit of a pharmacy or pharmacist; prohibiting a pharmacy benefits manager from disrupting the provision of services to the customers of a pharmacy during an audit; prohibiting a pharmacy benefits manager from taking certain actions relating to an audit of a pharmacy or pharmacist; prohibiting a pharmacy benefits manager from recouping by setoff certain money until certain conditions are fulfilled; providing for a certain appeal, under certain circumstances; requiring the Maryland Insurance Commissioner to adopt regulations that standardize certain documentation and a certain process; prohibiting a pharmacy benefits manager from retroactively denying or modifying reimbursement to a pharmacy or a pharmacist for a certain approved claim, with certain exceptions; requiring a pharmacy benefits manager to reimburse a pharmacy or pharmacist for a certain quantity of a prescription drug to meet a certain day’s supply; limiting the amount of reimbursement that a pharmacy benefits manager may recoup, require to be repaid, or setoff under certain circumstances; and generally relating to pharmacy benefits managers and audits and reimbursement of pharmacies and pharmacists.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–1629

Annotated Code of Maryland

(2011 Replacement Volume)

BY adding to

Article – Insurance

Section 15–1631

Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 904 – Senator Middleton**

AN ACT concerning

**Maryland Medical Assistance Program – Health Care Delivery Systems –  
Pilot Project**

FOR the purpose of establishing a pilot project in the Department of Health and Mental Hygiene to test alternative and innovative health care delivery systems that provide services to certain Maryland Medical Assistance Program recipients in a certain manner; requiring the Secretary of Health and Mental Hygiene to develop a request for proposals for participation in the pilot project in consultation with certain individuals and entities; requiring the Secretary to take certain actions in developing the request for proposals; establishing certain eligibility requirements for participation by a health care delivery system in the pilot project; providing that a health care delivery system may be formed by certain groups of providers of services or suppliers; authorizing a health care delivery system to enter into certain contracts and to contract with a managed care organization to provide certain services; authorizing the Secretary to require a health care delivery system to enter into certain contracts for certain purposes; requiring the Secretary, in developing a certain payment system, to establish a certain benchmark or payment model; requiring the Secretary to submit a certain application, if necessary, and to apply for certain grants to implement this Act; and generally relating to a health care delivery systems pilot project in the Maryland Medical Assistance Program.

BY adding to

Article – Health – General

Section 15–147

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 905 – Senator Klausmeier**

AN ACT concerning

**Criminal Law – Video Lottery Terminals – Playing by Individual Under 21  
Years of Age**

FOR the purpose of prohibiting an individual under the age of 21 years from playing a video lottery terminal; establishing penalties for a certain violation of this Act;

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; 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; defining a certain term; making conforming changes; and generally relating to video lottery terminal violations.

BY adding to

Article – Criminal Law

Section 10–136 and 10–137 to be under the new part “Part V. Video Lottery Terminal Violations”

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–01(dd) and 3–8A–33(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT****Senate Bill 598 – Senator Young**

AN ACT concerning

**Health Occupations – Licensed Podiatrists – Scope of Practice**

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT****Senate Bill 610 – Senators Benson, Colburn, Klausmeier, and Ramirez**

AN ACT concerning

**Crimes – Sale of Drug Paraphernalia to a Minor – Local Law Authorizing  
Business License Revocation for a Second or Subsequent Violation**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT****Senate Bill 737 – Senator Rosapepe**

AN ACT concerning

**Nursing Home Administrator License – Revocation or Surrender – Ban on  
Employment**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #2**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 16 – Senators Ramirez, Miller, Rosapepe, Peters, Forehand, and Montgomery**

AN ACT concerning

**Jury Service – Employers – Prohibited Acts**

**SB0016/508779/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 16

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “work” insert “during a certain time period”; in line 4, strike “an” and substitute “the”; and strike beginning with “spends” in line 4 down through “performing” in line 5 and substitute “is expected to perform”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 6, inclusive, and substitute:

**“(B) AN EMPLOYER MAY NOT REQUIRE AN INDIVIDUAL TO WORK BETWEEN 12:00 A.M. AND 11:59 P.M. ON A DAY IN WHICH THE INDIVIDUAL IS EXPECTED TO RESPOND TO A SUMMONS UNDER THIS TITLE OR ATTEND, OR BE IN PROXIMITY TO, A CIRCUIT COURT FOR JURY SERVICE UNDER THIS TITLE.”**

The preceding 2 amendments were read only.

Senator Kittleman moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 20 – Senator Astle**

AN ACT concerning

**Vehicle Laws – Special and Commemorative Registration Plates**

SB0020/428378/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 20

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “changes” in line 10 and substitute “altering the termination date for the Chesapeake Bay Commemorative License Plate and the special registration plate honoring State agriculture”; strike in their entirety lines 13 through 17, inclusive; in line 20, after “Section” insert “13–618 and”; and after line 27, insert:

“BY repealing and reenacting, with amendments,

Chapter 3 of the Acts of the General Assembly of the First Special Session of 1992, as amended by Chapter 91 of the Acts of the General Assembly of 1994, Chapter 356 of the Acts of the General Assembly of 1996, Chapter 141 of the Acts of the General Assembly of 1998, Chapter 340 of the Acts of the General Assembly of 2000, Chapter 34 of the Acts of the General Assembly of 2002, Chapter 398 of the Acts of the General Assembly of 2003, and Chapters 135 and 136 of the Acts of the General Assembly of 2007

Section 3”.

AMENDMENT NO. 2

On pages 2 through 5, strike in their entirety the lines beginning with line 5 on page 2 through line 2 on page 5, inclusive, and substitute:

“(a) The Administration may issue special commemorative original or substitute registration plates for any geographical, historical, natural resource, or environmental commemoration of statewide significance.

(b) The owner of a vehicle, or a lessee of the vehicle under a lease not intended as security, or a director, officer, employee, or partner of a business entity that owns the vehicle considered eligible by the Administration may apply to the Administration for the assignment of a commemorative registration plate under this section if the vehicle is included in one of the following classes:

(1) A Class A (passenger) vehicle;

(2) A Class E (truck) vehicle with a manufacturer's rated capacity of one ton or less;

(3) A Class G (trailer) vehicle; or

(4) A Class M (multipurpose) vehicle.

(c) (1) An original or substitute commemorative plate may only be issued under this section for a fixed period of 2 consecutive years after its initial issuance.

(2) The Administration may only issue one commemorative plate under this section at any one time.

(d) (1) In addition to the annual registration fee otherwise required under this title, an owner of a vehicle assigned a commemorative registration plate under this section shall pay:

(i) An additional initial registration fee set by the Administration when the new registration plates are issued to the vehicle under this section; or

(ii) An additional renewal fee set by the Administration each time the plate is renewed.

(2) (i) The Administration shall set the additional initial registration fee at a level that will enable the Administration to recover its costs under this section.

(ii) The Administration may set the additional initial registration fee at a level that is sufficient to result in a surplus after costs are subtracted.

(iii) The Administration shall retain a portion of the additional initial registration fee that is sufficient to allow the Administration to recover any costs of issuing and distributing commemorative plates under this section.

(iv) Any surplus moneys remaining after the Administration has recovered the costs of issuing a commemorative plate under this section and moneys

collected for additional renewal fees may not be retained by or transferred to any agency of the State for any purpose.

(v) Notwithstanding subparagraph (iv) of this paragraph, the surplus moneys and moneys collected for additional renewal fees may be retained for the purpose described in paragraph (3) of this subsection.

(3) The surplus moneys and moneys collected for additional renewal fees shall be disbursed by the Administration to a nonprofit organization that is:

(i) Closely related to the geographical, historical, natural resource, or environmental theme which the plate commemorates; and

(ii) Designated by the Administration under subsection (e) of this section.

(4) No portion of the additional initial registration or renewal fees may be credited to the Gasoline and Motor Vehicle Revenue Account for distribution under § 8–403 or § 8–404 of this article.

(e) (1) The Administration shall adopt regulations not inconsistent with the Maryland Vehicle Law to govern the issuance of special registration plates under this section.

(2) Before designating any nonprofit organization to receive any surplus moneys or moneys collected for additional renewal fees and before distributing the moneys to any nonprofit organization, the Administration shall adopt regulations specific to each new commemorative plate detailing:

(i) The name and nature of the nonprofit organization receiving the money;

(ii) The relationship of the nonprofit organization to the geographical, historical, natural resource, or environmental theme which the plate commemorates; and

(iii) The plan of distribution of the funds.

(3) The Administration shall consult with the nonprofit organization designated to receive moneys under this section to establish a schedule under which the Administration will transfer to the nonprofit organization revenue collected on behalf of the nonprofit organization under this section.

(f) The additional fees to the annual registration fee required by this section are not required for special registration of a vehicle that is exempt under § 13-903 of this title, or a vehicle with a special registration plate recognizing:

(1) The Maryland National Guard; or

(2) A volunteer fire department, volunteer rescue squad, or volunteer ambulance company in this State.

(g) (1) A special registration number as specified by the Administration and assigned under this section may consist of:

(i) Any combination of:

1. Letters; and

2. Numerals; and

(ii) Any design approved by the Administration that adequately reflects the geographical, historical, natural resource, or environmental theme which the plate commemorates.

(2) A special registration number or design assigned under this section shall be displayed on the registration plates for the vehicle.

(3) The Administration shall consult with the nonprofit organization designated to receive moneys under this section with respect to any design of the Chesapeake Bay Commemorative License Plate.”

On page 6, after line 16, insert:

“Chapter 3 of the Acts of the First Special Session of 1992, as amended by Chapter 91 of the Acts of 1994, Chapter 356 of the Acts of 1996, Chapter 141 of the Acts of 1998,

Chapter 340 of the Acts of 2000, Chapter 34 of the Acts of 2002, Chapter 398 of the Acts of 2003, and Chapters 135 and 136 of the Acts of 2007

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of § 13–618(c) of the Transportation Article, the Motor Vehicle Administration shall extend the Chesapeake Bay Commemorative Plate Program until July 1, [2013] **2021**.”.

AMENDMENT NO. 3

On page 6, in lines 14 and 16, in each instance, strike the bracket; in line 14, strike “13” and substitute “**21**”; and in line 15, strike “2013” and substitute “**2021**”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 133)

**ADJOURNMENT**

At 10:47 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 9, 2012.

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**Annapolis, Maryland**  
**Thursday, February 9, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:10 A.M.

Prayer by Reverend Doctor Melissa Rudolph, North Carroll Cooperative Parish of The United Methodist Church, guest of Senator Getty.

(See Exhibit A of Appendix III)

The Journal of February 8, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Jennings be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 135)

**INTRODUCTION OF BILLS**

**Senate Bill 906 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – School Facilities – Funding**

FOR the purpose of authorizing certain bonds, notes, or other obligations used for certain purposes in connection with certain school facilities in Baltimore City to be payable from revenues and receipts from a certain beverage container tax or certain other revenues; prohibiting certain revenues and receipts from being irrevocably pledged in a certain manner; making the obligation to make certain payments from certain revenues and receipts subject to an annual appropriation by the Mayor and City Council of Baltimore City; authorizing, under certain circumstances, a certain trust agreement or authorizing ordinance to pledge or assign certain revenues and receipts and a certain fund; defining certain terms; and generally relating to the use of revenues and receipts from a certain

beverage container tax or other revenues dedicated to the construction of school facilities in Baltimore City.

BY adding to

The Charter of Baltimore City  
Article II – General Powers  
Section (50)(f)  
(2007 Replacement Volume, as amended)

Read the first time and referred to the Committee on Rules.

**Senate Bill 907 – Senators Astle and Klausmeier**

AN ACT concerning

**Transportation – Required Security – Rental Vehicles**

FOR the purpose of establishing that the owner of a rental vehicle may satisfy a certain insurance requirement by maintaining a certain security that is secondary to any other valid and collectible coverage; requiring the owner of a rental vehicle to provide a certain notice to the renter of the rental vehicle; and generally relating to proof of insurance for the registration of certain rental vehicles.

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 17–103  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 17–104 and 18–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 908 – Senator Dyson**

AN ACT concerning

**Motor Vehicles – Farm Truck Registration – Maximum Gross Vehicle Weight**

FOR the purpose of increasing the maximum gross vehicle weight for farm trucks for purposes of applying a certain farm truck annual registration fee; and generally relating to the maximum gross vehicle weight for farm trucks.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–921  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 909 – Senator Garagiola**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Potomac Community  
Resources Home**

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 Potomac Community Resources, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 910 – Senators Raskin and Gladden**

AN ACT concerning

**Correctional Services – Inmate Welfare Fund – Telephone Financial  
Assistance**

FOR the purpose of requiring the managing official of a local correctional facility with an inmate welfare fund to adopt regulations that require a portion of the profits derived from telephone commissions to be used for telephone calls that take place between an inmate and the minor child of an inmate; requiring that distributions be made according to the financial need of an inmate; and generally relating to inmate welfare in local correctional facilities.

BY repealing and reenacting, without amendments,  
Article – Correctional Services  
Section 11–901, 11–903, and 11–904  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services  
Section 11–902  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 911 – Senators Raskin and Frosh**

AN ACT concerning

**Public Safety – Firearms Regulation by Local Jurisdictions**

FOR the purpose of creating a certain exception to the State preemption of the authority of a political subdivision relating to firearms; authorizing a political subdivision to require a certain person to report the purchase of certain firearms; authorizing a political subdivision to require a certain report to include certain information; and generally relating to the regulation of firearms by local jurisdictions.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–209  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 912 – Senator Zirkin**

AN ACT concerning

**Department of Juvenile Services – Juvenile Facilities – Reduction of Bed  
Limit**

FOR the purpose of reducing the number of children that a committed facility owned by the Department of Juvenile Services may serve at one time; and generally relating to the Department of Juvenile Services and juvenile facilities.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 9–238.1(a)  
Annotated Code of Maryland  
(2007 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 766 – Senator Edwards**

AN ACT concerning

**Motor Fuel – Mass Transit Tax – Transit Funding**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 809 – Senators Madaleno, Brinkley, Colburn, Currie, DeGrange, Ferguson, Forehand, Glassman, Jones–Rodwell, King, Kittleman, Klausmeier, Manno, McFadden, Montgomery, Peters, and Simonaire**

AN ACT concerning

**Sales and Use Tax – Tax–Free Periods – University and College Textbooks**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 810 – Senator Madaleno**

AN ACT concerning

**Income Tax – Subtraction Modification – Commuter Expenses**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 852 – Senators King, Brinkley, Colburn, DeGrange, Glassman,  
Jacobs, and Klausmeier**

AN ACT concerning

**Sales and Use Tax – Alcoholic Beverages – Calculation of Tax**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

**LAID OVER BILLS**

The presiding officer submitted the following Laid Over Bills with amendments:

**Senate Bill 16 – Senators Ramirez, Miller, Rosapepe, Peters, Forehand, and  
Montgomery**

AN ACT concerning

**Jury Service – Employers – Prohibited Acts**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE  
AMENDMENTS (2) AND THE FAVORABLE REPORT.

**SB0016/508779/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 16

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “work” insert “during a certain time period”; in line 4, strike “an” and substitute “the”; and strike beginning with “spends” in line 4 down through “performing” in line 5 and substitute “is expected to perform”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 3 through 6, inclusive, and substitute:

**“(B) AN EMPLOYER MAY NOT REQUIRE AN INDIVIDUAL TO WORK  
BETWEEN 12:00 A.M. AND 11:59 P.M. ON A DAY IN WHICH THE INDIVIDUAL IS**

EXPECTED TO RESPOND TO A SUMMONS UNDER THIS TITLE OR ATTEND, OR BE IN PROXIMITY TO, A CIRCUIT COURT FOR JURY SERVICE UNDER THIS TITLE.”.

The preceding 2 amendments were read and adopted by a roll call vote as follows:

Affirmative – 28    Negative – 18    (See Roll Call No. 136)

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **THE COMMITTEE ON FINANCE REPORT #3**

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

#### **Senate Bill 209 – Senator Kelley**

AN ACT concerning

#### **Real Estate Settlements – Paying or Receiving Consideration – Penalties**

**SB0209/717376/1**

BY: Finance Committee

#### AMENDMENT TO SENATE BILL 209

(First Reading File Bill)

On page 3, in lines 4, 20, and 24, in each instance, strike “24” and substitute “**12**”; in line 5, strike “3500.2” and substitute “**1024.2**”; in lines 21 and 24, in each instance, strike “3500.15” and substitute “**1025.15**”; and in the same lines, in each instance, strike “3500” and substitute “**1025**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

#### **Senate Bill 258 – Senator Glassman**

AN ACT concerning

**Credit Regulation – Installment Loans Secured by Motor Vehicle Lien –  
Balloon Payments**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 290 – Chair, Finance Committee (By Request – Departmental –  
Labor, Licensing and Regulation)**

AN ACT concerning

**Financial Institutions – Savings Banks – Conversions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 303 – Chair, Finance Committee (By Request – Departmental –  
Labor, Licensing and Regulation)**

AN ACT concerning

**Credit Regulation – Debt Management Services – Agreement and Prohibited  
Acts**

**SB0303/617573/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 303

(First Reading File Bill)

On page 4, strike beginning with “**THE**” in line 23 down through “**OF**” in line 25; and in line 26, after “**SERVICES**” insert “**OR OTHER RELATED SERVICES**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

### SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #2  
February 9, 2012

#### District Court, Queen Anne's County (District 3)

1. Frank M. Kratovil District 36

Judge of the District Court of Maryland, District 3, Queen Anne's County;  
appointed to serve a term of ten years from January 30, 2012

#### Collection Agency Licensing Board

2. Stephen D. Hannan District 12  
10349 Sixpence Circle  
Columbia, MD 21044

Member of the Collection Agency Licensing Board; appointed to serve for the  
remainder of a term of four years from July 1, 2010

**Community Services Reimbursement Rate Commission**

3. Jillian Aldebron District 20  
315 Ethan Allen Avenue  
Takoma Park, MD 20912
- Member of the Community Services Reimbursement Rate Commission;  
appointed to serve a term of three years from October 1, 2011
4. Kia Brown District 10  
9977 Tuscarora Road  
Randallstown, MD 21133
- Member of the Community Services Reimbursement Rate Commission;  
appointed to serve a term of three years from October 1, 2011
5. Jeffrey W. Richardson District 42  
1305 Denby Road  
Towson, MD 21286
- Member of the Community Services Reimbursement Rate Commission;  
reappointed to serve a term of three years from October 1, 2011
6. Thomas M. Sizemore District 35  
211 Dallam Avenue  
Bel Air, MD 21014
- Member of the Community Services Reimbursement Rate Commission;  
appointed to serve a term of three years from October 1, 2011
7. Timothy R. Wiens District 20  
12113 Kerwood Road  
Silver Spring, MD 20904
- Member of the Community Services Reimbursement Rate Commission;  
appointed to serve a term of three years from October 1, 2011

**Consumer Council**

8. Patricia Tilley Song District 35  
2011 Rock Spring Road  
Forest Hill, MD 21050
- Member of the Consumer Council; appointed to serve a term of six years from  
July 1, 2010

**Correctional Standards, Commission on**

9. Wendell M. France District 5  
1855 Carnoustie Court  
Finksburg, MD 21048

Member of the Commission on Correctional Standards; appointed to serve a term of three years from July 1, 2011

**Deaf and Hard of Hearing, Maryland Advisory Council for the**

10. Stacey Farone District 2  
18014 Lappans Road  
Fairplay, MD 21733

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2009

11. Kathleen D. Heck, Ph.D. District 23  
9203 Crutchfield Lane  
Bowie, MD 20720

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2010

12. Nancy G. Jenkins, Esq. District 30  
1226 Pine Avenue  
Shady Side, MD 20764

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2009

13. Lisa Jordan District 2  
28 E. Magnolia Avenue  
Hagerstown, MD 21742

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2010

14. Nwokoma Sampson District 24  
10019 Derion Court  
Bowie, MD 20721

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2008 and for a term of three years from October 1, 2011

**Dental Examiners, State Board of**

15. Sonia A. Stockton District 41  
5921 Simmonds Avenue  
Baltimore, MD 21215

Member of the State Board of Dental Examiners; appointed to serve remainder of a term of four years from June 1, 2009

**Economic Development Commission, Maryland**

16. Paul D. Ausley District 29  
43962 Woodmont Drive  
Leonardtown, MD 20650

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011

17. Maria Beckett District 13  
6220 April Brook Circle  
Columbia, MD 21045

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011

18. Thomas J. Burlin District 14  
9763 Hawkins Creamery Road  
Laytonsville, MD 20882

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011

19. Seth Goldman District 16  
4848 Chevy Chase Boulevard  
Chevy Chase, MD 20815

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011

20. Janis M. Russell District 1  
1600 Mt. Aetna Road  
Frostburg, MD 21532

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011

21. David A. Severn, Esq. District 3  
4620 Deer Spring Road  
Middletown, MD 21769

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011

22. A. Nayab Siddiqui District 13  
7005 Woodscape Drive  
Clarksville, MD 21029

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2010

### **Education, State Board of**

23. Mary Kay Finan, Ed.D. District 1  
531 Washington Street  
Cumberland, MD 21502

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2011

24. Nina E. Marks District 42  
2210 Westridge Road  
Timonium, MD 21093

Member of the State Board of Education; appointed to serve a term of one year from July 1, 2011

### **Elevator Safety Review Board**

25. Richard J. Lowman District 20  
2445 Lyttonsville Road  
Silver Spring, MD 20910

Member of the Elevator Safety Review Board; appointed to serve a term of three years from October 1, 2010

26. Cristian Mendoza Munoz District 47  
4929 56th Place  
Bladensburg, MD 20710

Member of the Elevator Safety Review Board; appointed to serve remainder of a term of three years from October 1, 2010

**Emergency Number Systems Board**

27. Teresa A. Owens District 38  
3811 Algonquin Trail  
Snow Hill, MD 21863

Member of the Emergency Number Systems Board; appointed to serve for the remainder of a term of four years from July 1, 2010

28. James S. Whitney District 33  
401 Fairleigh Court  
Tracy's Landing, MD 20779

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2011

**Environmental Sanitarian Registration, State Board of**

29. Yvonne S. DeLoatch District 44  
200 Presstman Street  
Baltimore, MD 21217

Member of the State Board of Environmental Sanitarian Registration; appointed to serve remainder of a term of five years from July 1, 2007

30. Mary Veal District 31  
3502 Cokesbury Court  
Pasadena, MD 21122

Member of the State Board of Environmental Sanitarian Registration; appointed to serve a term of five years from July 1, 2011

**Master Electricians, State Board of**

31. Robert D. Welborne District 27  
13100 Tobacco Trail Lane  
Brandywine, MD 20613

Member of the State Board of Master Electricians; appointed to serve a term of four years from July 1, 2011

**School for the Deaf, Board of Trustees of the Maryland**

32. Shane H. Feldman District 4  
10915 Oakcrest Circle  
New Market, MD 21774

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2010

33. Robin T. Kittleman District 9  
3030 Kittleman Lane  
West Friendship, MD 21794

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2010

**Stationary Engineers, State Board of**

34. Brian M. Wodka District 5  
808 Walker Station Court  
Parkton, MD 21120

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2009

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Consumer Council**

- S-1. Tamara Davis Brown, Esq. District 27  
P.O. Box 1292  
Clinton, MD 20735

Member of the Consumer Council; reappointed to serve a term of six years from July 1, 2010

- S–2. Wyatt K. Wallace District 34  
283 Poplar Point Road  
Perryville, MD 21903

Member of the Consumer Council; reappointed to serve a term of six years from July 1, 2010

### **Economic Development Commission, Maryland**

- S–3. Susan J. Ganz District 11  
11103 Valley Heights Drive  
Owings, MD 21117

Member of the Maryland Economic Development Commission; reappointed to serve a term of three years from July 1, 2011

- S–4. John J. McLaughlin District 46  
1310 William Street  
Baltimore, MD 21230

Member of the Maryland Economic Development Commission; reappointed to serve a term of three years from July 1, 2011

### **Economic Development Corporation Board of Directors, Maryland**

- S–5. Douglas Millard Hoffberger District 41  
5602 Waycrest Lane  
Baltimore, MD 21210

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2011

- S–6. Martin G. Knott, Jr. District 42  
6309 Pinehurst Road  
Baltimore, MD 21212

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2011

- S–7. Dana Brewington Stebbins, Esq. District 23  
11818 Bishops Content  
Mitchellville, MD 20721

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2011

S-8. Jennifer R. Terrasa District 13  
3430 Courthouse Drive  
Ellicott City, MD 21043

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2010

### **Education, State Board of**

S-9. Luisa Montero-Diaz District 20  
432 Lincoln Avenue  
Takoma Park, MD 20912

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2011

S-10. Sayed M. Naved District 15  
14617 Snapdragon Circle  
North Potomac, MD 20878

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2011

### **Emergency Number Systems Board**

S-11. Richard D. Berg District 32  
8288 Elvaton Road  
Millersville, MD 21108

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2011

S-12. Kevin M. Green District 39  
19168 Roman Way  
Montgomery Village, MD 20866

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2011

### **School for the Deaf, Board of Trustees of the Maryland**

S-13. Roslyn M. Hannibal-Booker District 8  
9526 Perry Hall Boulevard #303  
Baltimore, MD 21236

Member of the Board of Trustees of the Maryland School for the Deaf;  
reappointed to serve a term of six years from October 1, 2010

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 10, 2012.

The motion was adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 137)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #5

#### Senate Bill 51 – Senator Ferguson

#### EMERGENCY BILL

AN ACT concerning

#### Baltimore City – Board of Liquor License Commissioners – Transfer of License

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 138)

The Bill was then sent to the House of Delegates.

#### Senate Bill 66 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

#### Harford County – Alcoholic Beverages Licenses – Class C–3 Club License

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 139)

The Bill was then sent to the House of Delegates.

**Senate Bill 67 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages Licenses – Residency Requirement for Applicants**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 140)

The Bill was then sent to the House of Delegates.

**Senate Bill 103 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Hours for Sale**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 141)

The Bill was then sent to the House of Delegates.

**Senate Bill 104 – Senator Colburn**

AN ACT concerning

**Dorchester County – Sailwinds Park, Inc. – Service of Alcohol – Wristbands**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 142)

The Bill was then sent to the House of Delegates.

**Senate Bill 105 – Senator Colburn**

**EMERGENCY BILL**

AN ACT concerning

**Caroline County and Dorchester County – Turkey Hunting on Private Property – Sundays**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 143)

The Bill was then sent to the House of Delegates.

**Senate Bill 106 – Senator Colburn**

AN ACT concerning

**Talbot County – Alcoholic Beverages Violations – Issuance of Citations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 144)

The Bill was then sent to the House of Delegates.

**THIRD READING CALENDAR (SENATE BILLS) #6**

**Senate Bill 47 – Senator Madaleno**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loans of 2002 and 2009 – Montgomery County – MacDonald Knolls Center**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 145)

The Bill was then sent to the House of Delegates.

**Senate Bill 174 – Senators Klausmeier, Kittleman, Middleton, and Muse**

AN ACT concerning

**Subsequent Injury Fund and Uninsured Employers' Fund – Assessments on Settlement Agreements**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 146)

The Bill was then sent to the House of Delegates.

**Senate Bill 187 – Chair, Finance Committee**

AN ACT concerning

**State Commission of Real Estate Appraisers and Home Inspectors – Sunset  
Extension and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 147)

The Bill was then sent to the House of Delegates.

**Senate Bill 326 – Senator DeGrange**

**EMERGENCY BILL**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Anne Arundel County –  
Benson–Hammond House**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 148)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 149)

**ADJOURNMENT**

At 10:48 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 10, 2012.

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**Annapolis, Maryland**  
**Friday, February 10, 2012**  
**11:00 A.M. Session**

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The Senate met at 11:06 A.M.

Prayer by Reverend Tim Kromer, Gary Memorial United Methodist Church, guest of Senator Robey.

(See Exhibit A of Appendix III)

The Journal of February 9, 2012 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Benson and Muse be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 151)

**INTRODUCTION OF BILLS**

**Senate Bill 913 – Senator Stone**

AN ACT concerning

**State Procurement – Rejection of Bids and Proposals – Businesses Located  
Outside the State**

FOR the purpose of requiring a unit of State government, under certain circumstances, to reject a bid or proposal if the bidder or offeror is located outside the State or if the goods or services required to be provided under the contract would be provided by a subcontractor located outside the State; applying this Act to procurements that would otherwise be excluded from the State procurement law; and generally relating to the rejection of bids and proposals under State procurement.

BY adding to  
Article – State Finance and Procurement  
Section 11–203(h)

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–206(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 914 – Senator Currie**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Largo High School PTSA Track Renovation**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to reduce the amount of a matching fund the Prince George’s County Board of Education must provide for a certain grant; extending the deadline for the grantee to present evidence that a matching fund will be provided; requiring that the proceeds of the loan be expended or encumbered by a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010, as amended by  
Chapter 187 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA02(BH)

Read the first time and referred to the Committee on Rules.

**Senate Bill 915 – Senator Currie**

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 \$245,000, the proceeds to be used as a grant to the Prince George’s County Board of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 916 – Senators Forehand, Getty, Jacobs, Shank, and Stone**

AN ACT concerning

**Criminal Law – Robbery and Burglary – Pharmacies**

FOR the purpose of prohibiting an individual from taking unauthorized possession of a certain controlled dangerous substance in a certain manner; prohibiting an individual from employing or displaying a dangerous weapon during the commission of a robbery of a pharmacy; prohibiting a person from breaking into a pharmacy with the intent to steal, take, or carry away a certain controlled dangerous substance; establishing certain penalties for a violation of this Act; authorizing a certain sentence imposed under this Act to be separate from and consecutive to or concurrent with a certain other sentence; and generally relating to robbery or burglary of pharmacies.

BY adding to

Article – Criminal Law  
Section 3–406  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 6–201 and 6–203  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations  
Section 12–101(p)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 917 – Senators Forehand and Garagiola**

AN ACT concerning

**Creation of a State Debt – Montgomery County – City of Rockville – Swim  
and Fitness Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Mayor and City Council of Rockville for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 918 – Senators Ferguson, Benson, Kittleman, and Raskin**

AN ACT concerning

**Election Law – Campaign Contributors – Occupation and Employer**

FOR the purpose of requiring the treasurer of a campaign finance entity to record the occupation and employer of an individual who makes contributions of a certain cumulative amount to the campaign finance entity during an election cycle; requiring the treasurer to include in a campaign finance report the occupation and employer of an individual who makes contributions to the campaign finance entity of a certain cumulative amount; and generally relating to reporting the occupation and employer of certain contributors to campaign finance entities.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 13–221 and 13–304(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 919 – Senators Ferguson and Kittleman**

AN ACT concerning

**Election Law – Campaign Finance Entities – Retention of Records**

FOR the purpose of altering record retention requirements applicable to campaign finance entities by requiring that the account books and related records of a campaign finance entity be preserved until the earlier of a certain number of years after the creation of the record or a certain number of years after the campaign finance entity files a final campaign finance report; and generally relating to record retention by campaign finance entities.

BY repealing and reenacting, with amendments,  
Article – Election Law

Section 13–221  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 920 – Senators Raskin, Ferguson, Getty, McFadden, Miller,  
Ramirez, Robey, and Simonaire**

AN ACT concerning

**Ethics Online Disclosure Act of 2012**

FOR the purpose of requiring that certain ethics statements and reports be made available to the general public on the Internet; requiring that certain ethics statements and reports be submitted in an electronic format; altering certain procedures relating to the availability of ethics statements and reports; altering provisions relating to the review of certain ethics statements by the Joint Committee on Legislative Ethics; requiring the State Ethics Commission to adopt certain regulations; providing that counties, municipal corporations, and boards of education are not required to post financial disclosure information on the Internet or to require that financial disclosure statements be filed electronically; providing for the delayed implementation of certain provisions of this Act; and generally relating to the revision of the Maryland Public Ethics Law.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–512, 15–513(c), 15–602, 15–606, 15–805, and 15–813  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–513(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Government  
Section 15–513(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 921 – Senator Conway**

AN ACT concerning

**State Board of Nursing – Sunset Extension and Revisions**

FOR the purpose of continuing the State Board of Nursing 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 annual report to the General Assembly; specifying the data that must be included in a certain annual report; altering a certain requirement related to the application for a license to practice registered nursing or licensed practical nursing; altering a certain requirement related to the application for certification as a certified nursing assistant; altering the membership of a certain advisory committee; requiring a certain advisory committee to meet at least once during a certain time period; requiring the Board to contract with an independent entity to perform a certain personnel study to be completed on or before a certain date; requiring the Board to report to certain committees of the General Assembly on the implementation and use of certain sanctioning guidelines on or before a certain date; requiring the Board to report to certain committees of the General Assembly on the implementation of certain recommendations; requiring the report to include certain information and a certain plan; making a stylistic change; and generally relating to the State Board of Nursing.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8–205(a)(8), 8–304, 8–6A–05(c)(2), 8–6A–13, and 8–802

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(40)

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 922 – Senator Middleton**

AN ACT concerning

**Creation of a State Debt – Charles County – Jude House**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$50,000, the proceeds to be used as a grant to the Jude House, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 923 – Senator Middleton**

AN ACT concerning

**Creation of a State Debt – Charles County – Southern Maryland Carousel**

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 Southern Maryland Carousel Group, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 924 – Senator Ramirez**

AN ACT concerning

**Health Care Malpractice Claims – Expert Witnesses – Limitations**

FOR the purpose of prohibiting a party, in the trial of certain actions against a health care provider for an alleged medical injury, from presenting testimony from more than a certain number of experts, unless the court, for good cause shown, permits additional experts; providing for the application of this Act; and generally relating to certain health care malpractice actions.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 3–2A–05(d), 3–2A–06(a) and (b), 3–2A–06A(a) and (c), and 3–2A–06B(a) and (f)

Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–2A–06(d), 3–2A–06A(e), and 3–2A–06B(h)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 925 – Senator Gladden**

AN ACT concerning

**Criminal Procedure – Right of Appeal from Final Judgments – Conditional Guilty Plea**

FOR the purpose of providing that an appeal from a final judgment entered following a conditional plea of guilty may be taken in accordance with the Maryland Rules; defining a certain term; and generally relating to the right of appeal from final judgments in criminal cases.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 12–302(e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 926 – Senator Gladden**

AN ACT concerning

**Vehicle Laws – Vehicles of Public Service Companies – Use of Yellow and Amber Lights**

FOR the purpose of authorizing vehicles of public service companies to be equipped with or display yellow or amber lights or signal devices; making conforming and stylistic changes; and generally relating to lighting equipment on vehicles of public service companies.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 22–201 and 22–218(c)(11)  
Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–218(c)(6) and (e) and 22–227(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 927 – Senators Raskin, Forehand, and Frosh**

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –  
Retaliation Against Dealers**

FOR the purpose of prohibiting a manufacturer, distributor, or factory branch from retaliating against a certain vehicle dealer because of legislation enacted by the General Assembly that regulates the franchise relationship; establishing that a manufacturer, distributor, or factory branch has the burden of proving, under certain circumstances, that a certain cancellation of, termination of, or failure to provide a bonus, incentive, or benefit program is not retaliation; and generally relating to vehicle manufacturers, distributors, and factory branches.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 15–201  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 15–207.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 928 – Senators Astle and Middleton**

AN ACT concerning

**Health Insurance – Fees for Administrative Services Provided by Insurance  
Producers – Authorized**

FOR the purpose of authorizing an insurance producer who is licensed to sell health insurance to charge reasonable fees for services related to the administration of a health benefit plan that is sold by the insurance producer to an employer and covers eligible employees of the employer; providing that fees may not be charged by an insurance producer for certain services; requiring an insurance producer to disclose certain information on a certain form and in a certain manner before a fee for administrative services is charged; requiring the disclosure form to be signed by the insurance producer and an authorized representative of the employer and retained by the insurance producer as required by regulations adopted by the Maryland Insurance Commissioner; and generally relating to fees for administrative services provided by insurance producers.

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 27–216(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article – Insurance  
Section 27–216(g)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 929 – Senators Astle, Conway, Ferguson, Gladden, Klausmeier, Young, and Zirkin**

EMERGENCY BILL

AN ACT concerning

**The Deanna Camille Green Act of 2012**

FOR the purpose of requiring certain electric companies to file with the Public Service Commission for approval a certain list or voltage survey plan on or before a certain date; requiring an electric company to file a certain voltage survey plan for Commission approval within a certain period of time; requiring an electric company to conduct certain surveys of certain objects and surfaces within certain contact voltage risk zones at certain times; requiring an electric company to conduct certain surveys of certain objects and surfaces that are not within a certain contact voltage risk zone at certain times; specifying how an electric company shall test street lights; requiring an electric company to file for Commission approval a certain amended voltage survey plan within a certain time period before implementing a material change to a voltage survey plan;

authorizing the Commission to modify certain contact voltage survey requirements under certain circumstances; requiring that certain equipment must be certified by an independent laboratory for certain purposes; requiring an electric company to include certain certification when filing a certain voltage survey plan; requiring an electric company to confirm and document all contact voltage detected in a contact voltage survey in a certain manner; requiring an electric company to make an area safe after detecting a potential contact voltage condition until the condition can be confirmed; requiring that, when an electric company detects a certain contact voltage measurement, the electric company shall maintain certain records, perform a certain contact voltage survey, make a certain area safe, and use best efforts to make a certain permanent repair within a certain time period if the property is electric distribution plant or a certain street light or notify a certain person associated with a property that is not owned by the electric company of the condition and the need for the owner to make a certain repair; requiring an electric company to file a certain compliance report with the Commission on or before a certain date each year; providing for the contents of the compliance report; authorizing the Commission to impose a certain civil penalty under certain circumstances; requiring the Commission to adopt certain regulations; defining certain terms; making this Act an emergency measure; and generally relating to contact voltage plans and surveys.

BY adding to

Article – Public Utilities

Section 7–214

Annotated Code of Maryland

(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 930 – Senator Astle**

AN ACT concerning

#### **Creation of a State Debt – Annapolis Historic District – Sprinkler Assistance Revolving Fund**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of the Annapolis Economic Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 931 – Senator Astle**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2008 – Anne Arundel County –  
Deale Elementary School Baseball Fields**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2008 to alter the purpose of the grant for the Deale Elementary School Baseball Fields to authorize a grant for the Southern Middle School Baseball Fields, located in Lothian; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2008.

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item ZA01(M) and Item ZA02(H)

Read the first time and referred to the Committee on Rules.

**MESSAGE FROM THE HOUSE OF DELEGATES**

**FIRST READING OF HOUSE BILLS**

**House Bill 4 – Delegates Cardin, Stein, DeBoy, Minnick, and Nathan–Pulliam**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Baltimore County – 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 County; requiring judges of the Orphans’ Court for Baltimore County to have been admitted to practice law in this State and be members in good standing of the Maryland Bar; and submitting this amendment to the qualified voters of the State 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 Judicial Proceedings.

**House Bill 63 – Wicomico County Delegation**

AN ACT concerning

**Wicomico County – Employees – Criminal History Records Checks**

FOR the purpose of authorizing the Director of Administration of Wicomico County to request State and national criminal history records checks from the Criminal Justice Information System Central Repository for prospective or current employees; requiring the Director of Administration to submit certain items to the Central Repository; requiring the Central Repository to forward to the prospective or current employee and the Director of Administration the employee's criminal history record information; specifying that certain information obtained from the Central Repository is confidential, may not be disseminated, and may be used only for certain employment purposes; authorizing the subject of a criminal history records check to contest in a certain way the contents of a certain printed statement; requiring the County Executive of Wicomico County to propose and the County Council of Wicomico County to adopt guidelines to carry out this Act; defining a certain term; and generally relating to employee criminal history records checks in Wicomico County.

BY adding to

Article – Criminal Procedure

Section 10–236.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 814 – Senator Astle**

AN ACT concerning

**Public Safety – Elevators – Board Membership, Accessibility Lifts, and Lift Mechanics**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 875 – Senator Ferguson**

AN ACT concerning

**Environment – Beverage Container Deposit Program – Recommendation**

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 895 – Senator Conway**

AN ACT concerning

**Maryland State Board of Morticians and Funeral Directors – Permits and Registration Required to Remove and Transport Human Remains**

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1**

Nominee No. 6, Marcus L. Brown, Secretary of Maryland State Police; appointed to serve at the pleasure of the Governor

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATION OF THE EXECUTIVE?

The President of the Senate put the following question: “Will the Senate advise and consent to the above nomination of the Executive?”

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 152)

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #2  
February 9, 2012

**District Court, Queen Anne's County (District 3)**

1. Frank M. Kratovil District 36

Judge of the District Court of Maryland, District 3, Queen Anne's County; appointed to serve a term of ten years from January 30, 2012

**Collection Agency Licensing Board**

2. Stephen D. Hannan District 12  
10349 Sixpence Circle  
Columbia, MD 21044

Member of the Collection Agency Licensing Board; appointed to serve for the remainder of a term of four years from July 1, 2010

**Community Services Reimbursement Rate Commission**

3. Jillian Aldebron District 20  
315 Ethan Allen Avenue  
Takoma Park, MD 20912

Member of the Community Services Reimbursement Rate Commission; appointed to serve a term of three years from October 1, 2011

4. Kia Brown District 10  
9977 Tuscarora Road  
Randallstown, MD 21133

Member of the Community Services Reimbursement Rate Commission; appointed to serve a term of three years from October 1, 2011

5. Jeffrey W. Richardson District 42  
1305 Denby Road  
Towson, MD 21286
- Member of the Community Services Reimbursement Rate Commission;  
reappointed to serve a term of three years from October 1, 2011
6. Thomas M. Sizemore District 35  
211 Dallam Avenue  
Bel Air, MD 21014
- Member of the Community Services Reimbursement Rate Commission;  
appointed to serve a term of three years from October 1, 2011
7. Timothy R. Wiens District 20  
12113 Kerwood Road  
Silver Spring, MD 20904
- Member of the Community Services Reimbursement Rate Commission;  
appointed to serve a term of three years from October 1, 2011

### **Consumer Council**

8. Patricia Tilley Song District 35  
2011 Rock Spring Road  
Forest Hill, MD 21050
- Member of the Consumer Council; appointed to serve a term of six years from  
July 1, 2010

### **Correctional Standards, Commission on**

9. Wendell M. France District 5  
1855 Carnoustie Court  
Finksburg, MD 21048
- Member of the Commission on Correctional Standards; appointed to serve a  
term of three years from July 1, 2011

**Deaf and Hard of Hearing, Maryland Advisory Council for the**

10. Stacey Farone District 2  
18014 Lappans Road  
Fairplay, MD 21733

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2009

11. Kathleen D. Heck, Ph.D. District 23  
9203 Crutchfield Lane  
Bowie, MD 20720

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2010

12. Nancy G. Jenkins, Esq. District 30  
1226 Pine Avenue  
Shady Side, MD 20764

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2009

13. Lisa Jordan District 2  
28 E. Magnolia Avenue  
Hagerstown, MD 21742

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2010

14. Nwokoma Sampson District 24  
10019 Derion Court  
Bowie, MD 20721

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve remainder of a term of three years from October 1, 2008 and for a term of three years from October 1, 2011

**Dental Examiners, State Board of**

15. Sonia A. Stockton District 41  
5921 Simmonds Avenue  
Baltimore, MD 21215

Member of the State Board of Dental Examiners; appointed to serve remainder of a term of four years from June 1, 2009

**Economic Development Commission, Maryland**

16. Paul D. Ausley District 29  
43962 Woodmont Drive  
Leonardtown, MD 20650
- Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011
17. Maria Beckett District 13  
6220 April Brook Circle  
Columbia, MD 21045
- Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011
18. Thomas J. Burlin District 14  
9763 Hawkins Creamery Road  
Laytonsville, MD 20882
- Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011
19. Seth Goldman District 16  
4848 Chevy Chase Boulevard  
Chevy Chase, MD 20815
- Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011
20. Janis M. Russell District 1  
1600 Mt. Aetna Road  
Frostburg, MD 21532
- Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011
21. David A. Severn, Esq. District 3  
4620 Deer Spring Road  
Middletown, MD 21769
- Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2011

22. A. Nayab Siddiqui District 13  
7005 Woodscape Drive  
Clarksville, MD 21029

Member of the Maryland Economic Development Commission; appointed to serve a term of three years from July 1, 2010

### **Education, State Board of**

23. Mary Kay Finan, Ed.D. District 1  
531 Washington Street  
Cumberland, MD 21502

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2011

24. Nina E. Marks District 42  
2210 Westridge Road  
Timonium, MD 21093

Member of the State Board of Education; appointed to serve a term of one year from July 1, 2011

### **Elevator Safety Review Board**

25. Richard J. Lowman District 20  
2445 Lyttonsville Road  
Silver Spring, MD 20910

Member of the Elevator Safety Review Board; appointed to serve a term of three years from October 1, 2010

26. Cristian Mendoza Munoz District 47  
4929 56th Place  
Bladensburg, MD 20710

Member of the Elevator Safety Review Board; appointed to serve remainder of a term of three years from October 1, 2010

**Emergency Number Systems Board**

27. Teresa A. Owens District 38  
3811 Algonquin Trail  
Snow Hill, MD 21863

Member of the Emergency Number Systems Board; appointed to serve for the remainder of a term of four years from July 1, 2010

28. James S. Whitney District 33  
401 Fairleigh Court  
Tracy's Landing, MD 20779

Member of the Emergency Number Systems Board; appointed to serve a term of four years from July 1, 2011

**Environmental Sanitarian Registration, State Board of**

29. Yvonne S. DeLoatch District 44  
200 Presstman Street  
Baltimore, MD 21217

Member of the State Board of Environmental Sanitarian Registration; appointed to serve remainder of a term of five years from July 1, 2007

30. Mary Veal District 31  
3502 Cokesbury Court  
Pasadena, MD 21122

Member of the State Board of Environmental Sanitarian Registration; appointed to serve a term of five years from July 1, 2011

**Master Electricians, State Board of**

31. Robert D. Welborne District 27  
13100 Tobacco Trail Lane  
Brandywine, MD 20613

Member of the State Board of Master Electricians; appointed to serve a term of four years from July 1, 2011

**School for the Deaf, Board of Trustees of the Maryland**

32. Shane H. Feldman District 4  
10915 Oakcrest Circle  
New Market, MD 21774

Member of the Board of Trustees of the Maryland School for the Deaf; appointed to serve a term of six years from October 1, 2010

33. Robin T. Kittleman District 9  
3030 Kittleman Lane  
West Friendship, MD 21794

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2010

**Stationary Engineers, State Board of**

34. Brian M. Wodka District 5  
808 Walker Station Court  
Parkton, MD 21120

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2009

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Consumer Council**

- S-1. Tamara Davis Brown, Esq. District 27  
P.O. Box 1292  
Clinton, MD 20735

Member of the Consumer Council; reappointed to serve a term of six years from July 1, 2010

- S-2. Wyatt K. Wallace District 34  
283 Poplar Point Road  
Perryville, MD 21903

Member of the Consumer Council; reappointed to serve a term of six years from July 1, 2010

**Economic Development Commission, Maryland**

- S-3. Susan J. Ganz District 11  
11103 Valley Heights Drive  
Owings, MD 21117

Member of the Maryland Economic Development Commission; reappointed to serve a term of three years from July 1, 2011

- S-4. John J. McLaughlin District 46  
1310 William Street  
Baltimore, MD 21230

Member of the Maryland Economic Development Commission; reappointed to serve a term of three years from July 1, 2011

**Economic Development Corporation Board of Directors, Maryland**

- S-5. Douglas Millard Hoffberger District 41  
5602 Waycrest Lane  
Baltimore, MD 21210

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2011

- S-6. Martin G. Knott, Jr. District 42  
6309 Pinehurst Road  
Baltimore, MD 21212

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2011

- S-7. Dana Brewington Stebbins, Esq. District 23  
11818 Bishops Content  
Mitchellville, MD 20721

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2011

- S-8. Jennifer R. Terrasa District 13  
3430 Courthouse Drive  
Ellicott City, MD 21043

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2010

**Education, State Board of**

- S–9. Luisa Montero–Diaz District 20  
432 Lincoln Avenue  
Takoma Park, MD 20912

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2011

- S–10. Sayed M. Naved District 15  
14617 Snapdragon Circle  
North Potomac, MD 20878

Member of the State Board of Education; reappointed to serve a term of four years from July 1, 2011

**Emergency Number Systems Board**

- S–11. Richard D. Berg District 32  
8288 Elvaton Road  
Millersville, MD 21108

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2011

- S–12. Kevin M. Green District 39  
19168 Roman Way  
Montgomery Village, MD 20866

Member of the Emergency Number Systems Board; reappointed to serve a term of four years from July 1, 2011

**School for the Deaf, Board of Trustees of the Maryland**

- S–13. Roslyn M. Hannibal–Booker District 8  
9526 Perry Hall Boulevard #303  
Baltimore, MD 21236

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2010

**STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?**

The President of the Senate put the following question: “Will the Senate advise and consent to the above nominations of the Executive?”

With the exception of Nominee No. 33, the above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 153)

Nominee No. 33, Robin T. Kittleman, Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2010

The President of the Senate put the following question: “Will the Senate advise and consent to the above nomination of the Executive?”

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 44    Negative – 0    (See Roll Call No. 154)

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 155)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #7**

##### **Senate Bill 20 – Senator Astle**

AN ACT concerning

##### **Vehicle Laws – Special and Commemorative Registration Plates**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 156)

The Bill was then sent to the House of Delegates.

### **THE COMMITTEE ON BUDGET AND TAXATION REPORT #3**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 5 – Senators Jacobs and Glassman**

AN ACT concerning

**Harford County Property Tax Credit – Homes Near a Refuse Disposal System  
– Extension to Additional Properties**

**SB0005/729133/1**

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 5

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Glassman” and substitute “Glassman, and Jennings”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 6 – Senator Reilly**

AN ACT concerning

**Property Tax – Exemption for Blind Individuals and Surviving Spouses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 8 – Senator Astle**

AN ACT concerning

**Maryland Income Tax Refund – Anne Arundel County – Warrants**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 19 – Senators Peters, Astle, Klausmeier, Garagiola, DeGrange, Rosapepe, King, Kelley, Colburn, Kittleman, Madaleno, Montgomery, Edwards, Manno, and Stone**

AN ACT concerning

**Sales and Use Tax – Exemption – Veterans’ Organizations**

Favorable report adopted.

FLOOR AMENDMENT

**SB0019/633427/1**

BY: Senator Dyson

AMENDMENT TO SENATE BILL 19  
(First Reading File Bill)

On page 1, in the sponsor line, strike “and Stone” and substitute “Stone, and Dyson”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 167 – Senator Currie**

AN ACT concerning

**Tax Credits for Qualifying Employees with Disabilities – Sunset Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **THE COMMITTEE ON RULES REPORT #2**

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

**Senate Bill 379 – The President (By Request – Department of Legislative Services)**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Annual Corrective Bill**

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for February 13, 2012.

The motion was adopted.

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

**Senate Bill 380 – The President (By Request – Department of Legislative Services)**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Annual Curative Bill**

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for February 13, 2012.

The motion was adopted.

### **THE COMMITTEE ON RULES REPORT #1**

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 898 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Largo High School PTSA  
Track Renovation**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 899 – Senators Gladden, Kelley, Klausmeier, Raskin, and Stone**

AN ACT concerning

**Correctional Services – Correctional Officer – Emergency Suspension  
Rescinded**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 900 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – William Donald Schaefer  
Memorial Garden**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 901 – Senator Klausmeier**

AN ACT concerning

**Credit Regulation – Retail Installment Sales and Closed End Credit – Debt  
Cancellation Agreements – Definitions**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 902 – Senators Raskin, Brinkley, Forehand, Getty, King,  
Klausmeier, Madaleno, and Peters**

AN ACT concerning

**Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 903 – Senator Astle**

AN ACT concerning

**Health Insurance – Pharmacy Benefits Managers – Audits and Reimbursement of Pharmacies or Pharmacists**

The bill was re-referred to the Committee on Finance.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 157)

**ADJOURNMENT**

At 11:37 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 13, 2012.

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**Annapolis, Maryland**  
**Monday, February 13, 2012**  
**8:00 P.M. Session**

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The Senate met at 8:05 P.M.

Prayer by Reverend John B. Rudolph, North Carroll Cooperative Parish of The United Methodist Church, guest of Senator Getty.

(See Exhibit A of Appendix III)

The Journal of February 10, 2012 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 159)

**INTRODUCTION OF BILLS**

**Senate Bill 932 – Howard County Senators**

AN ACT concerning

**Creation of a State Debt – Howard County – South Branch Park**  
**Ho. Co. 4-12**

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 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 Rules.

**Senate Bill 933 – Howard County Senators**

AN ACT concerning

**Creation of a State Debt – Howard County – Carroll Baldwin Hall  
Ho. Co. 1–12**

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 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 Rules.

**Senate Bill 934 – Howard County Senators**

AN ACT concerning

**Creation of a State Debt – Howard County – Supported Living Facility  
Ho. Co. 3–12**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$130,000, the proceeds to be used as a grant to the Board of Directors of the Supported Living, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 935 – Howard County Senators**

AN ACT concerning

**Creation of a State Debt – Howard County – Roger Carter Recreation Center  
Ho. Co. 2–12**

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 Rules.

**Senate Bill 936 – Senator Miller**

AN ACT concerning

**Creation of a State Debt – Charles County – Heritage House**

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 African American Heritage Society 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 Rules.

**Senate Bill 937 – Senator Miller**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Knights of St. John  
Woodville School Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of the Knights of St. John Commandery #373 for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 938 – Senator Mathias**

AN ACT concerning

**Property and Casualty Insurance – Rescission of Policy or Binder –  
Authorized**

FOR the purpose of authorizing an insurer to rescind a policy or binder of personal insurance, commercial property insurance, or commercial liability insurance if the applicant’s initial premium payment is made by a check that is dishonored and returned by a financial institution for a certain reason; requiring that an insurer, to rescind the policy or binder, send a certain notice to the applicant within a certain period of time, in a certain manner, and to a certain address;

requiring the notice to contain certain statements; providing for the application of this Act; and generally relating to the rescission of policies and binders of property and casualty insurance.

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 12–106(a) and (b)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to

Article – Insurance  
Section 12–106(j)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 939 – Senator Kasemeyer**

AN ACT concerning

#### **Creation of a State Debt – Baltimore County – Catonsville Family Center Y**

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 YMCA 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 Rules.

### **Senate Bill 940 – Senator Dyson**

AN ACT concerning

#### **Consumer Protection – Tire Age – Required Notice**

FOR the purpose of requiring a tire manufacturer or distributor to affix on any tire manufactured for sale in the State a label that displays in a certain manner the month and year in which the tire was manufactured and a certain statement relating to tire age and tire deterioration; requiring a merchant to provide to a consumer who purchases a tire from the merchant a receipt or an invoice stating in a certain manner the month and year in which the tire was manufactured; requiring a merchant to provide a certain written disclosure to a

consumer; requiring a merchant, if a tire is a certain age, to require the consumer to sign the disclosure, provide a copy to the consumer, and retain the original signed disclosure for a certain period of time; prohibiting a merchant from removing a certain label unless the consumer requests that the merchant remove the label; establishing a certain penalty for a violation of this Act; defining certain terms; and generally relating to notices relating to tire age and safety.

BY adding to

Article – Commercial Law

Section 14–1324

Annotated Code of Maryland

(2005 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 941 – Senators Klausmeier, Benson, Colburn, Forehand,  
Garagiola, Montgomery, and Stone**

AN ACT concerning

**Fiduciary Institutions – Protection of Elder Adults from Financial Abuse –  
Reporting Requirements**

FOR the purpose of requiring certain fiduciary institutions to report suspected financial abuse of an elder adult under certain circumstances; requiring the report to be made to certain individuals and entities, at certain times, and by certain means; providing that a fiduciary institution is not required to investigate certain allegations by an elder adult or make an abuse report if the same matter already has been reported; providing that an abuse report is confidential and that the information contained in the report may be disclosed only under certain circumstances; providing that certain provisions of this Act may not be construed to allow the disclosure of certain reports or records or prohibit the disclosure of certain reports or records under certain circumstances; providing that certain provisions of this Act do not prohibit or limit the disclosure of certain financial records; requiring a fiduciary institution to establish and implement a certain training program for employees; prohibiting a fiduciary institution or an officer, employee, agent, or director of a fiduciary institution from declining to provide certain information in connection with an investigation of suspected financial abuse; establishing certain civil penalties for violations of certain provisions of this Act; providing that the penalties may be recovered only in a certain civil action brought against a fiduciary institution and shall be paid by the fiduciary institution; defining certain terms; altering a certain definition; making certain stylistic and conforming changes; and generally relating to fiduciary institutions and requirements for reporting suspected financial abuse of elder adults.

BY repealing and reenacting, without amendments,  
Article – Financial Institutions  
Section 1–101(a) and (g) and 1–301(a) and (b)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Financial Institutions  
Section 1–305 and 1–306  
Annotated Code of Maryland  
(2011 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 942 – Senator Stone**

AN ACT concerning

#### **Criminal Law – Motor Vehicles – Criminal Negligence Resulting in Death**

FOR the purpose of repealing the application to motor vehicles of a certain provision of law relating to criminally negligent manslaughter by vehicle or vessel; 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 motor vehicle 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 motor vehicle in a negligent manner; establishing that a violation of this Act is criminal negligence resulting in death; establishing certain penalties; and generally relating to motor vehicles and criminal negligence resulting in death.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 2–210  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

BY adding to  
Article – Criminal Law  
Section 2–211  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 943 – Senators Madaleno, Currie, McFadden, and Raskin**

AN ACT concerning

**Income Tax – Refundable Earned Income Credit**

FOR the purpose of altering the percentage of the federal earned income credit used for determining the amount that an individual may claim as a refund under the State earned income tax credit under certain circumstances; providing for the application of this Act; and generally relating to the State refundable earned income tax credit.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–704(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–704(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 944 – Senator Jacobs**

AN ACT concerning

**Life–Threatening Injury by Motor Vehicle or Vessel While Impaired by a  
Controlled Dangerous Substance – Penalty**

FOR the purpose of altering the penalty for causing life–threatening injury as a result of negligently driving, operating, or controlling a motor vehicle or vessel while impaired by a controlled dangerous substance; and generally relating to controlled dangerous substance offenses.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–211(f)  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 945 – Senator Colburn**

AN ACT concerning

**University of Maryland, Baltimore – Environmental Law Clinic –  
Reimbursement of Lawsuit Expenses**

FOR the purpose of requiring the University of Maryland, Baltimore to pay a certain defendant a certain amount as reimbursement for certain legal expenses incurred during a certain lawsuit in which the University of Maryland School of Law Environmental Law Clinic is representing the plaintiff at no charge; and generally relating to the reimbursement of certain lawsuit expenses by the University of Maryland, Baltimore.

Read the first time and referred to the Committee on Rules.

**Senate Bill 946 – Senator Colburn**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Dorchester County –  
Richardson Maritime Heritage Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to allow the matching fund required for the Richardson Maritime Heritage Center to include in kind contributions and funds expended prior to June 1, 2010; extending the deadline for the Board of Trustees of the James B. Richardson Foundation, Inc. to present evidence that a certain matching fund will be provided; requiring that the Board of Public Works expend or encumber the proceeds of a certain loan by June 1, 2014; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(AD)

Read the first time and referred to the Committee on Rules.

**Senate Bill 947 – Senator Gladden**

AN ACT concerning

**Environment – Reducing the Incidence of Lead Poisoning**

FOR the purpose of altering the application of certain provisions of law relating to reducing lead risk in housing to apply to certain property constructed before a certain date; authorizing the Department of the Environment or a local health department to order a certain abatement in any residential property under certain circumstances; establishing a certain rebuttable presumption; providing

that the presumption may be rebutted by clear and convincing evidence; altering a certain annual fee for certain rental property; authorizing the Department to administer a certain program consistent with certain federal regulations; requiring a certain vendor of certain property to deliver to a certain purchaser a certain lead-contaminated dust test under certain circumstances; declaring the intent of the General Assembly regarding certain compliance with certain provisions of law relating to reducing lead risk in housing; and generally relating to reducing the incidence of lead poisoning.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 6–801(a) and 6–843(a)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–801(b), 6–822, 6–843(a)(2), 6–1003, and 6–1004  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Environment  
Section 6–830.1; and 6–1002.1 to be under the amended subtitle “Subtitle 10.  
Accreditation of Lead Paint Abatement and Renovation Services”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 10–711  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 948 – Senators Raskin, Ferguson, Getty, McFadden, Ramirez,  
Robey, and Simonaire**

AN ACT concerning

**Ethics – Financial Disclosure by Local Elected Officials and County Boards  
of Education**

FOR the purpose of authorizing a county, municipal corporation, or school board to limit in a certain manner the required disclosure of interests in certain business entities by local elected officials, members of school boards, and candidates for

election or appointment to those offices; and generally relating to financial disclosure requirements for counties, municipal corporations, and school boards under the Maryland Public Ethics Law.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–607(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–805 and 15–813  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 949 – The President (By Request – Administration) and Senators Garagiola, Glassman, Klausmeier, Muse, and Pugh**

AN ACT concerning

**Workers’ Compensation – Medical Presumptions**

FOR the purpose of providing that certain occupational disease presumptions under the workers’ compensation law apply only for a certain number of years after an individual separates from service; providing that certain diseases and cancers are considered occupational diseases suffered in the line of duty and are compensable in a certain manner; limiting a jurisdiction’s total benefit payout for certain workers’ compensation benefits to a certain amount; and generally relating to the occupational disease presumption for certain diseases and cancers under the workers’ compensation law.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–503  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 950 – Senator Middleton**

AN ACT concerning

**Maryland Medical Assistance Program – Public Disclosure of Information**

FOR the purpose of requiring the Department of Health and Mental Hygiene to make available to the public, beginning on a certain date and at certain times each year, certain information relating to the Maryland Medical Assistance Program; requiring the Department to make available to the public, beginning on a certain date and on a certain date annually, certain models used by the Department for determining certain rates; requiring the Department to report, on or before a certain date and on a certain date annually, to certain legislative committees on certain efforts by the Department to make available to the public certain information; and generally relating to the Maryland Medical Assistance Program and public disclosure of information.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 1–101(c) and 15–101(h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Health – General  
Section 15–103.6  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 951 – Senator Dyson**

AN ACT concerning

#### **General Assembly – Ethics Counseling**

FOR the purpose of requiring the Counsel to the Joint Committee on Legislative Ethics to provide to each presiding officer of the General Assembly, at the end of each calendar year, a certain list of legislators with whom the Counsel has met for certain advisory purposes; and generally relating to the duties of the Counsel to the Joint Committee on Legislative Ethics.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 2–709  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 952 – Senator Dyson**

AN ACT concerning

**Junk Dealers and Scrap Metal Processors – Required Records and Hold Period**

FOR the purpose of requiring certain junk dealers and scrap metal processors to submit certain photographs of certain individuals to certain law enforcement units under certain circumstances; requiring certain junk dealers and scrap metal processors to hold certain items of junk and scrap metal for a certain period of time; and generally relating to junk dealers and scrap metal processors.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 17–1011  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 953 – Senators Kasemeyer and Middleton**

AN ACT concerning

**Medicaid Sustainability Commission**

FOR the purpose of establishing the Medicaid Sustainability Commission; providing for the membership, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to study and make recommendations regarding certain matters relating to the sustainability of the Maryland Medical Assistance Program; requiring the Commission to consider certain input when performing its duties; requiring certain recommendations of the Commission to have a certain impact on certain funds; requiring the Commission to make certain reports to the Governor and certain committees of the General Assembly on or before certain dates; declaring the intent of the General Assembly; providing for the termination of this Act; and generally relating to the Medicaid Sustainability Commission.

Read the first time and referred to the Committee on Rules.

**Senate Bill 954 – Senator Middleton**

AN ACT concerning

**Medical Records – HIPAA Consistency Act of 2012**

FOR the purpose of authorizing, subject to certain provisions of law relating to mental health services, a covered entity to disclose protected health information, as allowed under certain federal privacy laws; providing that certain provisions of this Act only authorize disclosure of protected health information in accordance with the federal privacy laws; authorizing a medical laboratory to disclose the results of a laboratory examination under certain circumstances; establishing a certain exception to the prohibition on the disclosure of certain medical records by an insurer, an insurance service organization, a nonprofit health service plan, or a Blue Cross or Blue Shield plan; defining certain terms; and generally relating to the disclosure of protected health information by a covered entity.

BY adding to

Article – Health – General  
Section 4–310  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 17–202.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 4–403 and 14–138  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Rules.

### **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 379 – The President (By Request – Department of Legislative Services)**

### **EMERGENCY BILL**

AN ACT concerning

**Annual Corrective Bill**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Bill 380 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Curative Bill**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 160)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 285 – Senator David R. Brinkley:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Linganore High School Boys Lacrosse Team  
in recognition of  
your winning the Maryland Class 3A/4A Championship.  
We applaud your outstanding season and wish  
you many more. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 13th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 161)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #8**

**Senate Bill 16 – Senators Ramirez, Miller, Rosapepe, Peters, Forehand, and Montgomery**

AN ACT concerning

**Jury Service – Employers – Prohibited Acts**

Read the third time and passed by yeas and nays as follows:

Affirmative – 26    Negative – 20    (See Roll Call No. 162)

The Bill was then sent to the House of Delegates.

**Senate Bill 209 – Senator Kelley**

AN ACT concerning

**Real Estate Settlements – Paying or Receiving Consideration – Penalties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 163)

The Bill was then sent to the House of Delegates.

**Senate Bill 258 – Senator Glassman**

AN ACT concerning

**Credit Regulation – Installment Loans Secured by Motor Vehicle Lien – Balloon Payments**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 164)

The Bill was then sent to the House of Delegates.

**Senate Bill 290 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Financial Institutions – Savings Banks – Conversions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 165)

The Bill was then sent to the House of Delegates.

**Senate Bill 303 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Credit Regulation – Debt Management Services – Agreement and Prohibited Acts**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 166)

The Bill was then sent to the House of Delegates.

**SPEECH**

**Lincoln Day Address**

by Senator J. B. Jennings

Mr. President, Mr. Minority Leader, My fellow Senators, and all those in attendance, it is a true honor to stand before you tonight and speak about one of our nation's greatest Presidents 203 years after his birth.

We all know the narrative of Abraham Lincoln: our 16th President, the rail splitter, the great emancipator, the Gettysburg Address and of course that fateful night at Ford's Theater.

The Lincoln we know is a marbleized figure, sitting 19 feet tall, in his pillared, neoclassical monument, overlooking our nation's capital, between the Gettysburg Address and his Second Inaugural. Inscribed above his head, "In this temple, as in the hearts of the people for whom he saved the union, the memory of Abraham Lincoln is enshrined forever." But history has less to say about the man himself, the flesh and blood man who had more defeats than triumphs. A man who had vices and flaws as we all do. What makes him worthy of our memory is not that he made no mistakes, but that he persevered despite them. To study the life and times of Abraham Lincoln is to understand the qualities that made this a great country.

We can all apply the life and times of Lincoln beyond his greater achievements by studying what shaped him to be the leader of that time; and the lessons of his guiding principles of life and reasoned governance.

In an 1876 celebration of Abraham Lincoln the former slave Frederick Douglas said:

"There is little necessity on this occasion to speak at length and critically of this great and good man, and of his high mission in the world. That ground has been fully occupied. The whole field of fact and fancy has been gleaned and garnered. Any man can say things that are true of Abraham Lincoln, but no man can say anything that is new of Abraham Lincoln".

Looking at his early life you realize the diverse challenges he faced and had to overcome.

- He entered into business with a partner and when it failed he was left with debts that he spent the next 17 years paying off.
- He was defeated several times when he ran for the legislature in Illinois, the U.S. Senate, Vice President of the United States and was denied an appointment to the U.S. Land Office.
- He was elected and served only one term in Congress.
- He fell in love with a young lady, became engaged but she died before they were married. Later, he proposed marriage to another young lady but was turned down. Eventually he did get married.
- He and his wife had 4 sons, yet only one would reach adulthood.

Through all of these trials and tribulations in both his personal and professional life, he persevered and eventually sought the Presidency, exhibiting both tenacity and strong moral conviction.

The 1860 Republican Presidential Nomination came down to the convention. The nominees were:

New York Senator – William H. Seward

Ohio Governor – Salmon P. Chase

Missouri Congressman – Edward Bates

And a former single term member of Congress from Illinois Abraham Lincoln.

William Seward was favored to win the nomination. However, after 3 rounds of balloting the little known Lincoln stunned the convention by taking the nomination and eventually the Presidency.

As Lincoln began to make the transition from prairie lawyer to the White House he knew the great challenges that he faced. In the famous “A House Divided Speech” before the Illinois legislature he said:

“A house divided against itself cannot stand. I believe this government cannot endure, permanently, half slave and half free. I do not expect the Union to be dissolved — I do not expect the house to fall — but I do expect it will cease to be divided. It will become all one thing or all the other.”

As legislators ourselves we all have felt the pressure of making tough decisions and the inevitable consequences of our choices, whether it be from our constituents, our colleagues or even our own self convictions.

I invite you to consider what the pressure was like for President–elect Lincoln. Knowing that what he campaigned on and believed in would divide this country and send it into war. He followed through on what he believed was best for our nation and demonstrated true integrity and moral conviction.

Faced with a young country’s precarious future, Lincoln was mindful of his actions that would define our stability and hopeful unity as one nation.

As the sun began to rise the day after his election, President–elect Lincoln began to construct the most pivotal part of his presidency; his cabinet. Although he had many great statesmen to choose from he knew the foundation of his presidency and future of our nation sat on the shoulders of those who would help govern the executive branch.

As he began to pen the names for each position he chose an unconventional, yet effective strategy to surround himself with the greatest political minds of his time. It could be surmised that Lincoln was determined to achieve victory not through diversity, but through consensus building and statesmanship.

Secretary of State – William H. Seward

Secretary of the Treasury – Salmon P. Chase

Attorney General – Edward Bates

These three gentlemen were the same three who Lincoln faced in the primary. He also selected several Democrats for cabinet positions that had previously opposed his Presidency.

Lincoln looked beyond the ideological differences and put one of his fiercest detractors, Edwin Stanton, into what proved to be the most important cabinet position during those four years, the Secretary of War.

Lincoln surrounded himself with the brightest, strongest and best minds to help steer our nation to calmer waters, regardless of party or previous allegiance.

What he had was an administration that was better educated, more experienced, and more credentialed than he. He knew that our young nation faced the greatest challenge in its history and his presidency would be like no other.

The attitude Lincoln had towards the selection of his cabinet was no different than the method he used in selecting the officers who would guide our nation's military to victory.

At the mouth of the Chesapeake Bay near what is now Hampton Roads, Virginia stands Fort Monroe.

It is a six-sided stone fort surrounded by a moat. It lies on a small peninsula stretching into the bay. During the Civil War it played a vital role in the defense of our nation's capital.

Although lying in a Confederate controlled area, it was able to block many enemy ships from traveling up the Chesapeake Bay and eventually making their way up the Potomac.

In the spring of 1861 it was commanded by Benjamin Butler. Butler was a Democrat who served in both the Massachusetts House of Representatives and State Senate. With the start of the civil war he put his political career on hold and re-entered military service.

Not far from Fort Monroe the Confederates were building a battery that was being constructed using slave labor. Three of those slaves were able to escape one night and made their way to the Union held Fort Monroe.

After learning the whereabouts of the slaves, their master sent for their return. This was two years before the Emancipation Proclamation and under current federal law Butler was obligated to return the three men.

But in a surprise decision Butler declined the request. He argued that the rebels were using slaves in the field to support their troops and were therefore contraband of war. The Federal government was no longer obliged to surrender them to their masters.

Learning of this, President Lincoln immediately promoted him to Brigadier General. Honored and very grateful, Butler wrote Lincoln and said he would accept the commission. Wanting to clear the air, he also went on to say:

“There is one thing I must say to you, as we don’t know each other; that as a Democrat, I opposed your election and did all I could for your opponent; but I shall do no political act, and loyally support your administration as long as I hold your commission; and when I find any act that I cannot support I shall bring the commission back at once and return it to you.”

After receiving Butler’s letter Lincoln responded back:

“That is frank, that is fair. But I want to add one thing: When you see me doing anything that for the good of the Country ought not be done, come and tell me so, and why you think so, and then perhaps you won’t have any chance to resign your commission.”

Moving forward is what is lost on many of us, and certainly escapes modern politics; where the actions and policies of the previous majority or last administration are used as a tool to neutralize the current minority.

This is not the way of Lincoln. He wanted settled business to be just that; for he believed that regardless of what transpired the best way forward was to learn from the past, not continually relive it.

After nearly 4 years of war, over 600,000 casualties, the end of the Civil War was near.

Richmond, the Capital of the Confederates, fell on April 3rd, 1865, pushing General Lee and his forces south. Lee needed to make it to North Carolina where his weathered troops would meet up with Confederate reinforcements, resupply, and continue the campaign.

Retreating from Richmond, the Confederates entered Petersburg where, again, General Grant and the Union forces fought to bring this war to a close.

Lee again was able to retreat south with his forces. Eventually however, his luck would run out at the Appomattox Courthouse in Virginia.

His troops, being chased from behind by Grant, were met head on by the Union Cavalry. As fighting broke out, Lee and the Confederates fought to break through the Cavalry line and continue their march south.

However, Lee soon realized that the Cavalry was being backed up by two battalions of Union Infantry. Surrounded, low on supplies, and greatly outnumbered, Lee realized that to continue fighting would be futile.

He decided to send notice to General Grant that he and the Army of Northern Virginia would surrender. General Grant accepted and agreed to meet.

On his way to meet General Grant, Lee confided in his assistants that he figured he would be imprisoned by nightfall. However, the Commander in Chief wanted to heal the nation.

Lincoln had empowered his command to offer generous, even lenient terms of surrender echoing the timeless words of Lincoln's second inaugural address:

“With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations.”

Lincoln's order to Grant were more than fair. The final line of the surrender agreement read as follows:

“Each officer and man will be allowed to return to their homes, not to be disturbed by United States authority so long as they observe their paroles and the laws in force where they may reside.”

After signing the surrender, Lee mounted his horse and rode for home. Following him was the Confederate soldiers from the Army of Northern Virginia.

As they began their march home they had to pass the now victorious Union Army. The Union began cheering in celebration.

“I at once sent word, however, to have it stopped,” Grant later said. “The Confederates were now our countrymen, and we did not want to exult over their downfall.”

Brig. Gen. Joshua L. Chamberlain was the Union officer that Grant had selected to preside over the surrender. Knowing Lincoln's wish to heal this nation, he ordered all Union troops to line the roadway.

As Lee and his battered and wounded Confederates came to pass, General Chamberlain swiftly called his troops to attention and “carry arms,” a traditional military salute.

As 27,805 Confederate soldiers began their long march home in defeat, they filed down that narrow dirt road past men who they would have fought to the death only a few hours before. But instead of hostility and malice, they were greeted with a show of respect and honor. This was the first sign that this nation would heal from those deep wounds.

Lincoln wanted to move forward by learning the lessons of the past, applying them to governance, and work hard to dispense with the lingering animosities that accompany war, politics and life.

Abraham Lincoln bemoaned the rancor of politics, yet excelled at politics and was able to end an existential conflict in our Union.

Now I ask every one of my colleagues in the Senate, in the House and in positions of high authority in our great State of Maryland to remember the lessons of Lincoln.

As we walk through these doors, make our way into this chamber and take our positions on this red carpeted battlefield, all of us will have competing views of how best to improve our experiment that is democratic governance.

We know battles will erupt, they will never be of the magnitude of Vicksburg, Gettysburg, Bull Run or Antietam, but they nevertheless will determine the future of our great state.

All of us should be compelled to remember that when the final shots are fired, the dust settles and the smoke clears, we will gaze upon these tote boards to see who is the victor.

At this point let us remember the humility that Lincoln demanded of his cabinet, his troops and his presidency. Let us show the respect that those victorious Union soldiers showed when they welcomed their brethren home.

As we embark on a new year, a new session, and a new presidential election, let us always hear the echoes of General Grant's famous words to his Union troops, which was the embodiment of Abraham Lincoln and how it applies to us today.

“WE ARE ALL AMERICANS, working together, striving to make our State and our Nation a better place to live, without regard to our differences.”

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 167)

### **ADJOURNMENT**

At 8:42 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 14, 2012.

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**Annapolis, Maryland**  
**Tuesday, February 14, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:16 A.M.

Prayer by Reverend Elizabeth Lerner Maclay, Sr. Unitarian Universalist Church of Silver Spring.

(See Exhibit A of Appendix III)

The Journal of February 13, 2012 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 169)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 259 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Casey Miller  
in recognition of  
Being crowned Miss Maryland Agriculture 2011.  
We commend your leadership and efforts to promote  
Maryland's agricultural industry. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 14th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 170)

**INTRODUCTION OF BILLS****Senate Bill 955 – Senator Jones–Rodwell**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Walters Art Gallery – The Domino Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of the Walters Art Gallery, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 956 – Senator Brinkley**

AN ACT concerning

**State Retirement and Pension Systems – New Hires – Cash Balance Defined Benefit Plan**

FOR the purpose of establishing a cash balance plan under the State Retirement and Pension System; requiring that certain individuals who are employed by certain participating employers on or after a certain date become members of the cash balance plan; providing that certain individuals are not eligible to participate in the optional retirement program; requiring the Board of Trustees of the State Retirement and Pension System to administer the cash balance plan; requiring participating in the cash balance plan as a condition of employment for certain individuals; providing the vesting requirements for participating employees in the cash balance plan; requiring that employee contributions to the cash balance plan be a certain amount and be made in a certain manner; requiring certain participating employees of the cash balance plan to be a certain age with a certain number of years of service as an eligible employee prior to receiving certain distributions; requiring certain participating employees of the cash balance plan who elect to receive certain distributions before reaching a certain age with a certain number of years of service to wait until a certain time to receive the distribution; providing for distribution of certain benefits from the cash balance plan to a participating employee on retirement; providing that certain participating employees in the cash balance plan may make certain elections with regard to the method of distribution for certain benefits payable under the cash balance plan; requiring the State to make certain employer contributions to the cash balance plan in a certain manner; requiring the

Governor to include a certain amount in the annual State budget bill; defining certain terms; making certain provisions of this Act subject to a certain contingency; and generally relating to the establishment of a cash balance plan for State employees and teachers.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 23–203, 23–204(c), 23–208, and 30–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 41–101 through 41–208 to be under the new title “Title 41. Cash  
Balance Plan”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 957 – Senator Brinkley**

AN ACT concerning

**Alcoholic Beverages – Micro–Breweries and Pub–Breweries – Class 7 Limited  
Beer Wholesaler’s License**

FOR the purpose of authorizing the holder of a pub–brewery or micro–brewery license to apply for and obtain certain additional licenses under certain conditions; authorizing a holder of a micro–brewery license to provide samples of beer in a certain amount at the licensed location at no charge or for a fee; repealing a certain limit on the amount of beer that a holder of a micro–brewery license may sell at retail for consumption on the licensed premises; repealing a restriction on the beer that a holder of a micro–brewery license may sell at retail for consumption off the licensed premises; creating a Class 7 limited beer wholesaler’s license; specifying certain fees for the limited beer wholesaler’s license; authorizing the issuance of a limited beer wholesaler’s license to a beer manufacturer that meets certain requirements; authorizing a holder of a limited beer wholesaler’s license to exercise certain privileges under certain conditions; specifying that a holder of a limited beer wholesaler’s license may cancel certain beer franchise agreements under certain conditions; and generally relating to the manufacture, distribution, and sale of beer in the State.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–201(b)(1), 2–208, 2–301, 17–103, and 17–104  
Annotated Code of Maryland

(2011 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 958 – Senator Brinkley**

AN ACT concerning

**State Retirement and Pension Systems – Cash Balance Plan**

FOR the purpose of establishing a cash balance plan under the State Retirement and Pension System; requiring that certain members of the Employees' Pension System or the Teachers' Pension System become members of the cash balance plan on a certain date; requiring that certain individuals who are employed by certain participating employers on or after a certain date become members of the cash balance plan; providing that certain individuals are not eligible to participate in the optional retirement program; requiring the Board of Trustees of the State Retirement and Pension System to administer the cash balance plan; requiring participation in the cash balance plan as a condition of employment for certain individuals; providing the vesting requirements for participating employees in the cash balance plan; requiring that employee contributions to the cash balance plan be a certain amount and be made in a certain manner; requiring certain participating employees of the cash balance plan to be a certain age with a certain number of years of service as an eligible employee prior to receiving certain distributions; requiring certain participating employees of the cash balance plan who elect to receive certain distributions before reaching a certain age with a certain number of years of service to wait until a certain time to receive the distribution; providing for distribution of certain benefits from the cash balance plan to a participating employee on retirement; providing that certain participating employees in the cash balance plan may make certain elections with regard to the method of distribution for certain benefits payable under the cash balance plan; requiring the State to make certain employer contributions to the cash balance plan in a certain manner; providing that certain participating employees in the cash balance plan may receive a certain benefit from the Employees' Pension System or the Teachers' Pension System; providing that certain eligible employees in the cash balance plan may elect to convert a certain accrued benefit to the cash balance plan or receive a return of certain member contributions plus regular interest; prohibiting certain eligible employees who elect to convert a certain benefit to the cash balance plan from receiving certain member contributions; defining certain terms; making certain provisions of this Act subject to a certain contingency; and generally relating to the establishment of a cash balance plan for State employees and teachers.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 23–203, 23–204(c), 23–208, and 30–302

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 41–101 through 41–209 to be under the new title “Title 41. Cash  
Balance Plan”

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

#### **THE COMMITTEE ON FINANCE REPORT #4**

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

#### **Senate Bill 72 – Senator Kelley**

AN ACT concerning

#### **Medical Treatment – Youth – Registered Nurses and Physician Assistants**

**SB0072/407078/1**

BY: Finance Committee

#### AMENDMENTS TO SENATE BILL 72

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 2, after “Medical” insert “and Dental”; in the same line, strike “Youth – Registered Nurses and Physician Assistants” and substitute “Consent by Minors and Protections for Licensed Health Care Practitioners”; in line 4, strike “medical” and substitute “dental”; strike beginning with “a” in line 4 down through “determination” in line 5 and substitute “the minor is married or is the parent of a child; providing that a minor has the same capacity as an adult to consent to medical or dental treatment if the minor is living separate and apart from the minor’s parent, parents, or guardian and is self-supporting”; strike beginning with “registered” in line 5 down through “assistant” in line 6 and substitute “licensed health care practitioner”; strike beginning with “registered” in line 8 down through “assistant” in line 9 and substitute “licensed health care practitioner”; strike beginning with “authorizing” in

line 9 down through “individuals;” in line 11; in line 12, after “medical” insert “or dental”; and in line 15, after “20–102” insert “(a), (e), and (f)”.

AMENDMENT NO. 2

On page 1, in line 22, after “medical” insert “OR DENTAL”; and in line 24, strike “or”.

On page 2, in line 1, after “child” insert “; OR”

**(3) (I) IS LIVING SEPARATE AND APART FROM THE MINOR’S PARENT, PARENTS, OR GUARDIAN, WHETHER WITH OR WITHOUT CONSENT OF THE MINOR’S PARENT, PARENTS, OR GUARDIAN; AND**

**(II) IS SELF-SUPPORTING, REGARDLESS OF THE SOURCE OF THE MINOR’S INCOME**”.

On page 2, strike beginning with “(b)” in line 2 down through “individual.” in line 27; and strike beginning with “physician” in line 28 down through “ASSISTANT” in line 30 and substitute “LICENSED HEALTH CARE PRACTITIONER”.

On page 3, strike beginning with the third “the” in line 1 down through “clinic” in line 5 and substitute “A LICENSED HEALTH CARE PRACTITIONER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 226 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Commissioner of Labor and Industry – Inflatable Amusement Attractions – Inspection**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 231 – Chair, Finance Committee (By Request – Departmental – Disabilities)**

AN ACT concerning

**Individuals with Disabilities – Attendant Care Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 282 – Chair, Finance Committee**

AN ACT concerning

**Office of Cemetery Oversight – Sunset Extension and Program Evaluation**

**SB0282/717275/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 282

(First Reading File Bill)

On page 6, in line 19, strike “SHOWING” and substitute “VERIFYING”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 171)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #9****Senate Bill 5 – Senators ~~Jacobs and Glassman~~, Glassman, and Jennings**

AN ACT concerning

**Harford County Property Tax Credit – Homes Near a Refuse Disposal System  
– Extension to Additional Properties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 172)

The Bill was then sent to the House of Delegates.

**Senate Bill 6 – Senator Reilly**

AN ACT concerning

**Property Tax – Exemption for Blind Individuals and Surviving Spouses**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 173)

The Bill was then sent to the House of Delegates.

**Senate Bill 8 – Senator Astle**

AN ACT concerning

**Maryland Income Tax Refund – Anne Arundel County – Warrants**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 174)

The Bill was then sent to the House of Delegates.

**Senate Bill 19 – Senators Peters, Astle, Klausmeier, Garagiola, DeGrange, Rosapepe, King, Kelley, Colburn, Kittleman, Madaleno, Montgomery, Edwards, Manno, ~~and Stone~~ Stone, and Dyson**

AN ACT concerning

**Sales and Use Tax – Exemption – Veterans’ Organizations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 175)

The Bill was then sent to the House of Delegates.

**Senate Bill 167 – Senator Currie**

AN ACT concerning

**Tax Credits for Qualifying Employees with Disabilities – Sunset Repeal**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 176)

The Bill was then sent to the House of Delegates.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #3**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 68 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages – Wine Festival License**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 88 – Senator Glassman**

AN ACT concerning

**Local States of Emergency – Time Period – Extension**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 112 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Appraisal  
Requirement**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 113 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Weights and Measures – Registration Fees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 114 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Controlled Hazardous Substance Driver Certification –  
Elimination**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 115 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Waterworks and Wastewater Works Certified Operators**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 117 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Water Appropriation Permits – Construction Dewatering  
Projects**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 118 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Voluntary Agricultural Nutrient and Sediment Credit Certification Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 129 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Easements**

Senator Getty moved, duly seconded, to make the Bill and Report a Special Order for February 15, 2012.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 143 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Comprehensive Master Plans**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Resolution No. 175 – Senator Katherine Klausmeier:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
The Maryland School for the Blind  
in recognition of  
their outstanding work educating children who are blind or visually impaired  
including those with multiple disabilities.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 14th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 177)

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #4**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 85 – Senators Jennings and Getty**

AN ACT concerning

**Election Law – Baltimore County Republican Party Central Committee –  
Election of Chairman**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 94 – The President (By Request – Department of Legislative  
Services)**

AN ACT concerning

**State Board for Certification of Residential Child Care Program  
Professionals – Sunset Extension and Program Evaluation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 95 – The President (By Request – Department of Legislative  
Services)**

AN ACT concerning

**State Board of Social Work Examiners – Sunset Extension and Program  
Evaluation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 96 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 109 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Architects – Continuing Professional Competency**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 144 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – Occupational and Professional Licensing – Licensees on Military Deployment**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 147 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Ethics Commission, State)**

AN ACT concerning

**State Government – Administrative Procedure Act – Changes to Previously  
Published Proposed Regulations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 178)

### **ADJOURNMENT**

At 11:12 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 15, 2012.

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**Annapolis, Maryland**  
**Wednesday, February 15, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:11 A.M.

Prayer by Reverend Ric Metzgar, founder and President of the Gateway Pastures and Churches Association, guest of Senator Stone.

(See Exhibit A of Appendix III)

The Journal of February 14, 2012 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 181)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 299 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Joppatowne Elementary School  
in recognition of  
outstanding achievement in the  
Maryland Fall Stock Market Game.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

**Senate Resolution No. 298 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Easton Middle School  
in recognition of  
outstanding achievement in the

Maryland Fall Stock Market Game.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 297 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Franklin High School  
in recognition of  
outstanding achievement in the  
Maryland Fall Stock Market Game.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 300 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Southern Garrett High School  
in recognition of  
outstanding achievement in Investwrite, the writing component of the Maryland Fall  
Stock Market Game.

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 182)

**Senate Resolution No. 288 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
The Students of Towson University  
in recognition of

your 13th successful Tiger Pride Advocacy Day. We applaud the efforts of Towson University's students and gratefully acknowledge your spirit, enthusiasm and dedication to your school.

The entire membership extends best wishes on this memorable occasion and directs this resolution

be presented on this 15th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 183)

**Senate Resolution No. 208 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Joshua Parker  
Windsor Mill Middle School  
in recognition of  
being selected as the 2012 Maryland Teacher of the Year. We applaud your  
outstanding contributions to Maryland students and for spending this year as an  
education voice in policy and instruction in our State. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

**Senate Resolution No. 205 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Vickie Diaz  
Bel Air Elementary School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year  
for Allegany County. We applaud your outstanding contributions to enhancing the  
education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

**Senate Resolution No. 206 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Laura Groo  
Southern Middle School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year for

Anne Arundel County. We applaud your outstanding contributions to enhancing the education of

Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 207 – The President and All Members:**

Be it hereby known to all that

The Senate of Maryland

offers its sincerest congratulations to

Margaret May

The Mount Washington School

in recognition of

being selected as the 2011–2012 Teacher of the Year

for Baltimore City. We applaud your outstanding contributions to enhancing the education of

Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 209 – The President and All Members:**

Be it hereby known to all that

The Senate of Maryland

offers its sincerest congratulations to

Julie Morrison

Calvert High School

in recognition of

being selected as the 2011–2012 Teacher of the Year for Calvert County. We applaud your outstanding contributions to enhancing the education of

Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 210 – The President and All Members:**

Be it hereby known to all that

The Senate of Maryland

offers its sincerest congratulations to

Cheri Nier

Greensboro Elementary School

in recognition of

being selected as the 2011–2012 Teacher of the Year for Caroline County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 211 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Aaron Geiman  
North Carroll High School  
in recognition of

being selected as the 2011–2012 Teacher of the Year for Carroll County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 212 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Rhonda Parsons  
Elkton Middle School  
in recognition of

being selected as the 2011–2012 Teacher of the Year for Cecil County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 213 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Stephanie F. Harris–Walent  
Milton Somers Middle School  
in recognition of

being selected as the 2011–2012 Teacher of the Year for Charles County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 214 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Valerie Lomax  
North Dorchester Middle School  
in recognition of

being selected as the 2011–2012 Teacher of the Year for Dorchester County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 215 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Andrea Maruskin  
Monocacy Middle School  
in recognition of

being selected as the 2011–2012 Teacher of the Year for Frederick County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 216 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Angie Rush  
Accident Elementary School  
in recognition of

being selected as the 2011–2012 Teacher of the Year for Garrett County. We applaud your outstanding contributions to enhancing the education of

Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

**Senate Resolution No. 217 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Christian Slattery, Sr.  
Hall's Cross Roads Elementary School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year for Harford County. We applaud  
your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

**Senate Resolution No. 218 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Haroon Rashed  
Atholton High School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year for Howard County. We applaud  
your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

**Senate Resolution No. 219 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Kathleen Jones  
Galena Elementary School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year for  
Kent County. We applaud your outstanding  
contributions to enhancing the education of  
Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 220 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Brian Freiss

Highland Elementary School  
in recognition of

being selected as the 2011–2012 Teacher of the Year for Montgomery County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 221 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
RaeShauna Mboma

Baden Elementary School  
in recognition of

being selected as the 2011–2012 Teacher of the Year for Prince George’s County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 15th day of February 2012.

**Senate Resolution No. 222 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Allison Kern

Centreville Elementary School  
in recognition of

being selected as the 2011–2012 Teacher of the Year for Queen Anne’s County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution

be presented on this 15th day of February 2012.

**Senate Resolution No. 223 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Charles Allen Skinner  
Great Mills High School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year for  
St. Mary’s County. We applaud your outstanding contributions to enhancing the  
education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

**Senate Resolution No. 224 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Dawn Lankford  
Somerset Intermediate School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year for Somerset County. We applaud  
your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

**Senate Resolution No. 225 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Angela Asmussen  
Tilghman Elementary School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year for Talbot County. We applaud  
your outstanding  
contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution

be presented on this 15th day of February 2012.

**Senate Resolution No. 226 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Katharine Long  
Western Heights Middle School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year for Washington County. We  
applaud your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

**Senate Resolution No. 227 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Chad Pavlekovich  
Salisbury Middle School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year for Wicomico County. We applaud  
your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

**Senate Resolution No. 228 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Jennifer Sills  
Snow Hill High School  
in recognition of  
being selected as the 2011–2012 Teacher of the Year for Worcester County. We  
applaud your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 15th day of February 2012.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 184)

### INTRODUCTION OF BILLS

#### **Senate Bill 959 – Senators Robey and Kittleman**

AN ACT concerning

#### **Creation of a State Debt – Howard County – Linwood Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Linwood Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

#### **Senate Bill 960 – Senator Pugh**

AN ACT concerning

#### **Insurance – Unfair Claim Settlement Practices – Refusal to Pay a Claim**

FOR the purpose of altering the circumstances under which it is an unfair claim settlement practice and a violation of certain provisions of law for an insurer, nonprofit health service plan, or health maintenance organization to refuse to pay a claim; and generally relating to unfair claim settlement practices under insurance law.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–706(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 27–303  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 961 – Senator Pugh**

AN ACT concerning

**Maryland Biotech SBIR and STTR Bridge Program**

FOR the purpose of establishing a Maryland Biotech SBIR and STTR Bridge Program to be administered by the Maryland Technology Development Corporation for certain purposes; authorizing the Program to provide grants to certain eligible biotechnology businesses; stating the purpose of the Program; establishing the Maryland Biotech SBIR and STTR Bridge Fund as a special, nonlapsing fund for certain purposes; providing for the administration, sources, and use of the Fund; requiring a certain audit of the Fund; establishing application procedures for grants under the Program; establishing certain limits on the number of grants awarded; requiring the Corporation to adopt certain regulations; refining certain terms; expressing certain legislative intent related to certain appropriations; and generally relating to the creation of a program to promote biotechnology research in the State.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 10–401(a) and (c)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

BY adding to  
Article – Education  
Section 21–601 through 21–604 to be under the new subtitle “Subtitle 6.  
Maryland Biotech SBIR and STTR Bridge Program”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(1) and (2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)62. and 63.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)64.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 962 – Senator Ramirez**

AN ACT concerning

**Real Property – Dwellings Rented to Individuals at Least 55 Years Old –  
Air-Conditioning Systems**

FOR the purpose of requiring certain residential dwelling structures that are offered for rent to individuals at least a certain age and are constructed or improved in a certain manner on or after a certain date with money received from the State on or after a certain date to be equipped with an air-conditioning system meeting certain requirements; requiring air-conditioning systems required under this Act to be in compliance with certain codes; and generally relating to air-conditioning systems in residential dwelling structures rented to individuals at least 55 years old.

BY adding to

Article – Real Property  
Section 14–133  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 963 – Senator Ramirez**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2005 – Prince George’s County  
– Historic Bostwick House**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to require the Board of Public Works to expend or encumber the proceeds of a certain loan for the Historic Bostwick House by June 1, 2014; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2005.

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005  
Section 1(3) Item ZA02(BH)

Read the first time and referred to the Committee on Rules.

**Senate Bill 964 – Senator Reilly**

AN ACT concerning

**Unauthorized Signs on Highway Rights-of-Way – Exceptions**

FOR the purpose of exempting a sign placed or maintained by a home builder or real estate broker during certain time periods from the prohibition against placing or maintaining a sign within the right-of-way of a State highway; making a stylistic change; and generally relating to the placement and maintenance of signs on State highway rights-of-way.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–605(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 965 – Senator Currie**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Forestville Military Academy Track**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to reduce the amount of a matching fund the Prince George’s County Board of Education must provide for a certain grant; extending the deadline for the grantee to present evidence that a matching fund will be provided; requiring that the proceeds of the loan be expended or encumbered by a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010, as amended by  
Chapter 188 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA02(BE)

Read the first time and referred to the Committee on Rules.

**Senate Bill 966 – Senator Gladden**

AN ACT concerning

**Civil Rights – Employment Discrimination – Employment Status**

FOR the purpose of prohibiting discrimination in employment based on employment status, including discrimination by employers, employment agencies, labor organizations, and training programs; defining a certain term; and generally relating to discrimination in employment based on employment status.

BY adding to

Article – State Government  
Section 20–601(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government  
Section 20–601(f), (g), (h), and (i), 20–602, 20–603, and 20–606  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 967 – Senator Conway**

AN ACT concerning

**Maryland Higher Education Commission – Student Transfer Advisory Committee**

FOR the purpose of establishing a Student Transfer Advisory Committee; providing for the composition, officers, and staffing of the Committee; prohibiting a member of the Committee from receiving compensation, but entitling a member to reimbursement for certain expenses; providing for the duties of the Committee; requiring the Committee to meet at least a certain number of times per year; requiring the Committee to submit a certain report on its findings and recommendations on or before certain dates; providing for the termination of the Committee; and generally relating to the Student Transfer Advisory Committee.

BY adding to

Article – Education  
Section 11–106.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 968 – Senator Conway**

AN ACT concerning

**Residential Property Sales – Disclosure of Utility Consumption**

FOR the purpose of requiring a vendor of certain single family residential property to display or make available certain utility information under certain circumstances; requiring a vendor to make available certain utility information in a certain manner; authorizing a vendor to provide to prospective purchasers a certain home energy rating score; providing that this Act does not apply to certain sales or transfers of property; providing for the application of this Act; and generally relating to disclosure of utility consumption prior to the sale of single family residential property.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 1–101(l) and (n)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Real Property  
Section 10–702.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 969 – Senator Conway**

AN ACT concerning

**State Board of Professional Counselors and Therapists – Licensure of  
Clinical Professional Art Therapists**

FOR the purpose of altering the membership of the State Board of Professional Counselors and Therapists to include two members who are licensed as clinical professional art therapists; requiring certain individuals to be licensed by the Board as clinical professional art therapists before performing certain work in the State; establishing certain education and experience requirements to qualify for a license to practice clinical professional art therapy; requiring the Board to waive certain requirements under certain circumstances; providing that a license authorizes certain individuals to practice clinical professional art therapy while a license is effective; authorizing the Board to adopt certain regulations allowing certain individuals to practice as licensed graduate professional art therapists under certain supervision; establishing certain requirements to qualify for a license to practice as a licensed graduate

professional art therapist; authorizing certain individuals to practice graduate professional art therapy under certain supervision for a certain period of time; 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; authorizing the State or the Board to maintain a certain action to enjoin certain unauthorized practice or certain conduct; providing that certain action is in addition to and not instead of certain prosecution; authorizing certain committees or certain associations to be a counselor or therapist rehabilitation committee; providing that a counselor and therapist rehabilitation committee evaluates and provides assistance to certain professional art therapists under certain circumstances; prohibiting certain individuals from engaging in certain actions or making certain representations in the State or using certain titles unless licensed by the Board; providing for the appointment of certain members of the Board; requiring certain vacancies on the Board to remain unfilled in accordance with provisions of this Act altering the membership of the Board; and generally relating to the establishment of a license for clinical professional art therapy and the State Board of Professional Counselors and Therapists.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 17–101, 17–202, 17–301, 17–308, 17–309, 17–508, 17–509, 17–513,  
17–515, 17–601, and 17–602

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 17–103 and 17–201

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

BY adding to

Article – Health Occupations

Section 17–304.1, 17–304.2, and 17–307.1

Annotated Code of Maryland

(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 970 – Senator Ramirez**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Family Crisis Center  
Security System**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$70,000, the proceeds to be used as a grant to the Board of Directors of the Family Crisis Center of Prince George's 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 Rules.

**Senate Bill 971 – The President (By Request – Administration)**

AN ACT concerning

**Maryland Transportation Financing and Infrastructure Investment Act of  
2012**

FOR the purpose of altering the distribution of the motor fuel tax revenue; requiring the Comptroller to make certain determinations and announcements regarding certain average retail prices of motor fuel and certain sales and use tax equivalent rates for certain periods; providing that under certain circumstances, certain sales and use tax equivalent rates, effective for certain periods, are added to certain motor fuel tax rates and shall be collected in the same manner as the motor fuel tax; providing that certain State laws and regulations that apply to the motor fuel tax also apply to certain sales and use tax equivalent rates; providing that certain motor fuel tax is subject to a sales and use tax equivalent rate added to the motor fuel tax rate under certain circumstances; providing that certain motor fuel tax revenue attributable to the sales and use tax equivalent rate and vehicle registration fees constitute revenues pledged for paying the principal and interest on certain bonds; altering certain provisions prohibiting reversion or crediting of funds in the Transportation Trust Fund to the General Fund or a special fund except under certain circumstances; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes under certain circumstances; altering certain provisions prohibiting the transfer or diversion of funds from the Transportation Trust Fund except under certain circumstances; establishing a Local Transportation Infrastructure Aid Account within the Transportation Trust Fund; providing for the distribution of certain funds credited to the Local Transportation Infrastructure Aid Account for certain purposes to certain local jurisdictions; providing that certain State laws that apply to certain revenues also apply to certain funds credited to the Local Transportation Infrastructure Aid Account; altering the amount of a certain surcharge required to be paid in addition to the registration fee required for certain motor vehicles; providing for the formation of a workgroup to study regional transit financing under certain conditions and submit a certain report to the Governor and General Assembly by a certain date; repealing certain obsolete provisions; defining certain terms; and

generally relating to Maryland transportation financing and transportation infrastructure investment.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1103 and 11–221  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Tax – General  
Section 9–306 and 9–307  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 3–215(a)(1) and 8–402(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 3–215(b), 3–216, and 3–217; and 8–401, 8–402(b), and 8–403(b) to be  
under the amended subtitle “Subtitle 4. Highway User Revenues and  
Local Transportation Infrastructure Aid”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY adding to  
Article – Transportation  
Section 8–402.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–954  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 14 – Senator Conway**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Examinations of Applicants and Licensees**

**SB0014/264530/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 14

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, strike “or testimony”; in line 14, strike “licensees” and substitute “the Board”; and in line 15, after “examinations” insert “under certain circumstances; requiring the Board to pay the reasonable cost of certain examinations for certain licensees”.

AMENDMENT NO. 2

On page 2, strike beginning with “WHILE” in line 1 down through “ALLEGATION” in line 2 and substitute “WHEN INVESTIGATING AN ALLEGATION”; in line 2, after “AGAINST” insert “AN APPLICANT OR”; in line 3, strike “OR INSPECTING A FACILITY OF A LICENSEE,”; in line 15, strike “OR TESTIMONY REGARDING THE REPORT”; in line 16, strike “A REPORT OR TESTIMONY REGARDING A REPORT” and substitute “AN EXAMINATION REPORT”; in line 26, after “(E)” insert “(1)”; in the same line, strike “AN” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN”; in the same line, strike “OR A LICENSEE” and substitute “WHO DOES NOT HOLD A VALID LICENSE WITH THE BOARD”; and after line 27, insert:

“(2) IF AN APPLICANT IS DEEMED COMPETENT TO PRACTICE MORTUARY SCIENCE OR FUNERAL DIRECTION AS A RESULT OF THE EXAMINATION REPORT, THE BOARD SHALL REIMBURSE THE APPLICANT FOR THE REASONABLE COST OF THE EXAMINATION THAT WAS PERFORMED.

**(F) THE BOARD SHALL PAY THE REASONABLE COST OF AN EXAMINATION MADE UNDER THIS SECTION FOR A LICENSEE OF THE BOARD.**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 58 – Senator Kelley**

AN ACT concerning

**Education – Children in Informal Kinship Care Relationships – Payments for Students with Disabilities – Funding**

**SB0058/874431/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENT TO SENATE BILL 58**

(First Reading File Bill)

On page 1, in line 22, after “A” insert “**SETTING IN WHICH A**”; in line 23, after “CHILD” insert “**IS**”; and in the same line, strike “WHO” and substitute “**AND**”.

On page 2, in line 3, after “A” insert “**SETTING IN WHICH A**”; and in line 4, strike “WHO”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 108 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Horse Industry Board – Licensing**

**SB0108/864138/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 108

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “a”; in the same line, strike “fee” and substitute “fees”; and in line 18, after “2-711” insert “, 2-712”.

AMENDMENT NO. 2

On page 3, after line 22, insert:

“2-712.

(a) A license expires on the June 30 after its effective date, unless the license is renewed for a 1-year term as provided in this section.

(b) Before his license expires, a licensee periodically may renew his license for additional 1-year terms, if the licensee:

(1) Otherwise is entitled to be licensed;

(2) Pays to the Board a renewal fee of [~~\$75~~] **\$125**; and

(3) Submits to the Board a renewal application on the form that it requires.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 126 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Department of Natural Resources – Maryland Land Preservation and  
Recreation Plan

SB0126/824930/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 126

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Maryland”; in line 3, strike “Plan” and substitute “Plans”; in line 4, strike “establishing a minimum” and substitute “altering the”; in the same line, strike “frame” and substitute “frames”; in line 5, after “Plan” insert “and certain local land preservation and recreation plans”; in line 6, after the first “the” insert “Maryland”; in the same line, after “Plan;” insert “making a stylistic change;”; strike beginning with the second “the” in line 6 down through “Plan” in line 7 and substitute “land preservation and recreation plans”; and in line 10, after “Section” insert “5–905(b)(2) and”.

AMENDMENT NO. 2

On page 1, after line 15, insert:

“5–905.

(b) (2) A local governing body shall prepare a local land preservation and recreation plan with acquisition goals based upon the most current population data available from the Department of Planning and submit it to the Department and to the Department of Planning for joint approval according to the criteria and goals set forth in guidelines prepared by the Department and the Department of Planning. A local governing body shall revise its local land preservation and recreation plan at least every [six] 5 years and submit the revised local plan to the Department and to the Department of Planning for joint approval [one] 1 year prior to the revision of the Maryland Land Preservation and Recreation Plan. Prior to approval of a revised local plan, the Department shall provide the legislators from the district within which any

part of the local jurisdiction is located the opportunity to review and comment on the revised local plan.”;

in line 19, strike “AT LEAST”; and in the same line, strike “6” and substitute “**5**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

### **Senate Bill 134 – Senator Conway**

AN ACT concerning

#### **State Real Estate Commission – Sunset Extension and Program Evaluation**

**SB0134/164037/1**

BY: Education, Health, and Environmental Affairs Committee

#### AMENDMENTS TO SENATE BILL 134

(First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 9, after “Fund;” insert “increasing the maximum amount of a certain claim made against the Fund for which the Commission may issue a certain order to pay or deny the claim;”; in line 10, after “submit” insert “certain”; and in line 18, after “17–404(b),” insert “17–407(d)(1)(i).”.

##### AMENDMENT NO. 2

On page 2, after line 29, insert:

“17–407.

(d) (1) (i) If a claimant’s total claim arising from the conduct of one licensee does not exceed [\$3,000.] \$5,000, the Commission may issue a proposed order to either pay the claim in whole or in part or to deny the claim.”.

On page 3, in line 27, after “WRITTEN” insert “OR ELECTRONIC”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 146 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Ethics Commission, State)**

AN ACT concerning

**Public Ethics – Financial Disclosure Statements – Mutual Funds**

**SB0146/334831/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 146

(First Reading File Bill)

On page 2, in line 9, strike “SOLELY” and substitute “PRIMARILY”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 148 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Lot Release**

**SB0148/694738/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 148

(First Reading File Bill)

On page 5, in line 2, after “release” insert “before the effective date of this Act”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 149 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Veterans Affairs)**

AN ACT concerning

**State Government – Maryland Veterans Commission – Membership**

**SB0149/414339/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 149

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “altering the composition of the Maryland Veterans Commission by”; in the same line, strike “representative” and substitute “member”; strike beginning with “to” in line 3 down through “Commission;” in line 4 and substitute “and a certain honorary nonvoting member to serve on the Commission and”; in line 5 strike “Maryland Veterans”; and in the same line, after “Commission;” insert “making a stylistic change”.

AMENDMENT NO. 2

On page 2, in line 1, strike “28” and substitute “THE FOLLOWING”; in line 12, strike “AND”.

On page 3, in line 7, after “America” insert “; AND”

(VII) 1 SHALL BE AN HONORARY NONVOTING MEMBER APPOINTED FROM A LIST OF INDIVIDUALS SUBMITTED TO THE GOVERNOR BY THE PEARL HARBOR SURVIVORS ASSOCIATION”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #3**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

#### **Senate Bill 48 – Baltimore County Senators**

##### **CONSTITUTIONAL AMENDMENT**

AN ACT concerning

#### **Baltimore County – Orphans’ Court Judges – Qualifications**

**SB0048/978474/1**

BY: Judicial Proceedings Committee

##### AMENDMENT TO SENATE BILL 48

(First Reading File Bill)

On page 1, in lines 17 and 18, strike “, **BALTIMORE COUNTY,**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

#### **Senate Bill 59 – Senator Kelley**

AN ACT concerning

**State Commission on Criminal Sentencing Policy – Annual Report –  
Reporting Date**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 78 – Senator Kelley**

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Foreclosure  
of Certain Liens Prohibited**

**SB0078/208577/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 78  
(First Reading File Bill)

On page 2 in line 29 and on page 3 in line 12, in each instance, after “OWNER” insert “FOR AN ANNUAL ASSESSMENT”.

The preceding amendment was read only.

Senator Kittleman moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 141 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Public Safety and Correctional Services)**

AN ACT concerning

**Criminal Procedure – Criminal Justice Information System  
Central Repository – Reporting Data**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 129 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Easements**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for February 21, 2012.

The motion was adopted.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 185)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #10**

**Senate Bill 379 – The President (By Request – Department of Legislative Services)**

#### **EMERGENCY BILL**

AN ACT concerning

**Annual Corrective Bill**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 186)

The Bill was then sent to the House of Delegates.

**Senate Bill 380 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Curative Bill**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 187)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 188)

**ADJOURNMENT**

At 11:10 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 16, 2012.

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**Annapolis, Maryland**  
**Thursday, February 16, 2012**  
**10:00 A.M. Session**

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The Senate met at 10:11 A.M.

Prayer by Pastor Allan Gorman, Harford Community Church, guest of Senator Jacobs.

(See Exhibit A of Appendix III)

The Journal of February 15, 2012 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 190)

**INTRODUCTION OF BILLS**

**Senate Bill 972 – Senator Gladden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Grace Outreach Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$90,000, the proceeds to be used as a grant to the Board of Directors of the Grace Outreach Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 973 – Senator Ferguson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Woman’s Industrial Exchange  
Upgrade**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$50,000, the proceeds to be used as a grant to The Woman's Industrial Exchange, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; requiring the grantee to grant and convey a certain easement to the Maryland Historical Trust; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 974 – Senators Pugh, Jones–Rodwell, McFadden, and Muse**

AN ACT concerning

**Electric Companies and Electric Cooperatives – Standard Offer Service –  
Service Rights Auctions**

FOR the purpose of requiring the Public Service Commission to study and make recommendations about the advisability of conducting certain auctions related to the right of certain electric companies and electric cooperatives to provide electric service to customers using standard offer service in certain service territories and the manner in which the auctions should be conducted, including certain items; requiring the Commission to report certain recommendations by a certain date to the Senate Finance Committee and the House Economic Matters Committee; defining a certain term; and generally relating to standard offer service.

Read the first time and referred to the Committee on Rules.

**Senate Bill 975 – Senator Pugh**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – Zoo License**

FOR the purpose of creating a Class BWL–MZ license for use at a zoo in a certain location in Baltimore City; specifying that the license may be used to sell beer, wine, and liquor for consumption only on the land and in the facilities used by the zoo; requiring an applicant who has another alcoholic beverages license to exchange that license for a Class BWL–MZ license; requiring the Board of Liquor License Commissioners for Baltimore City to take a certain action; authorizing the licensee to designate an agent for a certain purpose; specifying that the agent shall be considered the vendor for a certain purpose; authorizing the sale of beer, wine, and liquor at multiple locations under certain circumstances; providing the hours of sale and the annual fee for the license;

authorizing the Board to adopt certain regulations; and generally relating to a Class BWL–MZ license for use at a zoo in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–204.1(a)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 9–204.1(h)  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 976 – Senators Middleton, Astle, Brinkley, Colburn, Dyson, Edwards, Garagiola, Getty, Glassman, Jennings, Klausmeier, Manno, Mathias, Miller, Pipkin, and Zirkin**

AN ACT concerning

**Income Tax – Subtraction Modification – Enhanced Agricultural Management Equipment**

FOR the purpose of providing certain subtraction modifications under the Maryland individual and corporate income tax for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances; consolidating certain provisions of law that provide certain Maryland income tax subtraction modifications for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances; providing for the application of this Act; and generally relating to certain Maryland income tax subtraction modifications for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–208(d) and 10–308(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing  
Article – Tax – General  
Section 10–208(m)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 977 – Senator Rosapepe**

AN ACT concerning

**Transportation – Institutions of Higher Education and State Employment  
Facilities – Bicycle and Pedestrian Access**

FOR the purpose of requiring each public institution of higher education and State employment facility to develop on or before a certain date a facility master plan to address bicycle and pedestrian circulation on and around the campus; requiring the institution or employment facility to include certain measures in the facility master plan; and generally relating to bicycle and pedestrian access at institutions of higher education and State employment facilities.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1008  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 978 – Senator Jones–Rodwell**

AN ACT concerning

**Maryland Workforce and Career Pathways Act of 2012**

FOR the purpose of establishing the Career Pathways Program in the Division of Employment and Training in the Department of Labor, Licensing, and Regulation; providing for the Program's purpose and priorities; requiring the Director of the Division to make grants for certain projects; requiring the Director to adopt certain regulations; requiring the Director to evaluate the performance of the Program; requiring that applicants for certain grants include certain partners; requiring certain projects and certain target populations to achieve certain outcomes; requiring that certain projects, as a condition for receiving grant funding, include certain elements; requiring a partnership that receives certain grants to establish certain programs to better serve the needs of certain target populations; specifying the content of certain programs; establishing the Career Pathways Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Division to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; requiring the Governor to include a certain amount of money for the Fund in the annual

budget bill beginning in a certain fiscal year; specifying the purposes for which the Fund may be used; providing for the investment of money in the Fund; requiring the Division to submit a certain report on or before June 30 of each year to the Governor, the Senate Finance Committee, and the House Economic Matters Committee; providing for the contents of the report; defining certain terms; and generally relating to the Division of Employment and Training and the Career Pathways Program.

BY adding to

Article – Labor and Employment

Section 11–603

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 979 – Senator Jones–Rodwell**

AN ACT concerning

#### **Maryland Transit Administration – Audio and Video Recording Devices on Vehicles Used for Transit Service**

FOR the purpose of requiring the Maryland Transit Administration, on certain transit service vehicles equipped with an audio recording device, to activate the audio recording device; 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 and video 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 2011 Supplement)

BY adding to

Article – Transportation

Section 7–705.1

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 980 – Senators Young and Garagiola**

AN ACT concerning

**Creation of a State Debt – Washington County – Antietam Chapter #312  
Korean War Veterans Monument**

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 Korean War Veterans Association Antietam Chapter #312 for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 981 – Senator Benson**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Street Lighting  
Enhancements**

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 Mayor and Town Council of the Town of Capitol Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 982 – Senator Benson**

AN ACT concerning

**Election Law – Petition Fund Reports – Available Online**

FOR the purpose of requiring the State Board of Elections to make certain statements of contributions and expenditures for certain petitions available on its Internet site; and generally relating to making information concerning the financing of petitions available online.

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 7–104(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 983 – Senator Ferguson**

AN ACT concerning

**Task Force to Develop a Creativity and Innovation Index for Maryland**

FOR the purpose of establishing the Task Force to Develop a Creativity and Innovation Index for Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Develop a Creativity and Innovation Index for Maryland.

Read the first time and referred to the Committee on Rules.

**Senate Bill 984 – Senator Conway**

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 in a certain precinct of Ward 27 of the 43rd 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  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 985 – Senator Montgomery**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Montgomery County –  
Maydale Nature Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to extend the deadline for the Board of Directors of The Friends of Maydale Nature Center, Inc. to present evidence that a matching fund will be provided; requiring the Board of Public Works to expend or encumber the proceeds of the loan by June 1, 2014; and generally relating to an amendment to the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA02(AR) and Item ZA03(AS)

Read the first time and referred to the Committee on Rules.

**Senate Bill 986 – Senator Gladden**

AN ACT concerning

**Public Safety – Eyewitness Identification – Procedures**

FOR the purpose of requiring, on or before a certain date, each law enforcement agency in the State to adopt and implement a certain written policy relating to certain identification procedures and file a copy with the Department of State Police; requiring the Department, on or before a certain date, to compile certain written policies; requiring that a certain identification procedure be conducted by a certain administrator; requiring a certain identification procedure to be conducted in a certain manner; requiring that a certain record of a certain identification procedure be made; requiring evidence of a failure to comply with this Act to be dealt with by a certain court in a certain manner; defining certain terms; and generally relating to eyewitness identifications.

BY adding to  
Article – Public Safety  
Section 3–506(d) and 3–506.1  
Annotated Code of Maryland  
(2011 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 987 – Senator Klausmeier**

AN ACT concerning

**Income and Property Tax Credits – Conservation Easements –  
NeighborSpace of Baltimore County, Inc.**

FOR the purpose of allowing a property tax credit against the State, county, and municipal corporation property taxes imposed on certain conservation property donated to NeighborSpace of Baltimore County, Inc. under certain circumstances; allowing a credit against the State income tax for conveying a certain easement to NeighborSpace of Baltimore County, Inc.; providing for the application of this Act; and generally relating to State, county, and municipal corporation property tax credits and State income tax credits allowed for the donation of certain conservation property.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–107  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–723  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 988 – Senator Klausmeier (By Request – Baltimore County  
Administration)**

AN ACT concerning

**Baltimore County – Cooperative or Joint Administration of Programs**

FOR the purpose of authorizing the County Council of Baltimore County and the County Executive of Baltimore County to enter into certain agreements for the cooperative or joint administration of certain programs; and generally relating to the authorization of cooperative or joint administration of programs by the County Council of Baltimore County and the County Executive of Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–123  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 989 – Senator Mathias**

AN ACT concerning

**Public Schools – Administration of Auto-Injectable Epinephrine**

FOR the purpose of requiring each county board of education to establish a policy to authorize certain school personnel to administer auto-injectable epinephrine to certain students under certain circumstances; requiring a certain policy to include certain information; providing that a certain policy may authorize a school nurse to obtain and store at a public school auto-injectable epinephrine for certain purposes; requiring certain public schools to submit a certain report to the State Department of Education; requiring the Department to develop and disseminate a certain standard form; granting certain immunity to certain individuals under certain circumstances; defining certain terms; and generally relating to an epinephrine availability and use policy in public schools.

BY adding to

Article – Education

Section 7-426.2

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 990 – Senator Mathias**

AN ACT concerning

**Ocean City Convention Center – Financial Obligations and Taxing Authority**

FOR the purpose of altering a certain provision that places a limit on the amount of certain bonds that may be issued by a local governing body in connection with a certain convention center facility in a resort area and a tax on the sale of food and beverages in the resort area so that the limit applies to the total outstanding principal amount of the bonds; extending the time during which Ocean City and the Stadium Authority each own a certain leasehold interest in the Ocean City Convention Center and its expansion; altering certain required terms of a certain agreement between the Stadium Authority and Ocean City in connection with the timing for Ocean City to become solely responsible for certain operating deficits and capital improvements and the timing for certain required contributions to a certain capital improvement reserve fund; and generally relating to financial obligations and taxing authority related to the Ocean City Convention Center and its expansion.

BY repealing and reenacting, with amendments,

Article 25B – Home Rule for Code Counties  
Section 13H(b)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–643(d)(5) and (f)(1)  
Annotated Code of Maryland  
(2008 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 991 – Senator Astle**

AN ACT concerning

**Workers’ Compensation – Death Benefits – Determination of Benefits**

FOR the purpose of altering the calculation of workers’ compensation death benefits for a dependent of a deceased covered employee who died due to an occupational disease; and generally relating to workers’ compensation death benefits for dependents of covered employees.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–683.3  
Annotated Code of Maryland  
(2008 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 992 – Senators Raskin, Astle, Jacobs, Shank, and Stone**

AN ACT concerning

**Vehicle Laws – Motor Vehicle Safety Checkpoints – Prohibition on Targeting Specific Types of Motor Vehicles**

FOR the purpose of prohibiting a police officer at a motor vehicle safety checkpoint from targeting certain types of motor vehicles; providing for the application of this Act; defining a certain term; and generally relating to motor vehicle safety checkpoints.

BY adding to  
Article – Transportation  
Section 25–114

Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 993 – Senators Raskin, Astle, Benson, Forehand, Jennings, King,  
Madaleno, Montgomery, Pinsky, Pugh, and Young**

AN ACT concerning

**Crimes – Human Trafficking of Minor – Defenses**

FOR the purpose of providing that a person charged with a certain human trafficking offense involving a minor may not assert as a defense that the person did not know the age of the victim or that the minor consented; providing that it is a defense that, at the time of the offense, the defendant made a certain attempt to ascertain the true age of the minor in a certain manner and did not rely solely on the verbal allegations or apparent age of the minor; and generally relating to human trafficking of minors.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 11–303  
Annotated Code of Maryland  
(2002 Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 994 – Senator Brinkley**

AN ACT concerning

**Environment – Temporary Dewatering Devices and Well Drilling –  
Notification to Municipalities**

FOR the purpose of requiring a person that installs a temporary dewatering device to notify a municipality under certain circumstances; requiring a well driller, when applying for a permit to drill a well, to notify a municipality under certain circumstances; and generally relating to drilling wells and providing notification to municipalities.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1306 and 9–1307  
Annotated Code of Maryland  
(2007 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 995 – Senators Brinkley, Raskin, Colburn, Currie, Forehand, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Kittleman, Madaleno, Mathias, Montgomery, Peters, Pinsky, Pugh, Robey, Rosapepe, and Zirkin**

EMERGENCY BILL

AN ACT concerning

**Medical Marijuana Oversight Commission**

FOR the purpose of making marijuana a Schedule II controlled dangerous substance; prohibiting certain persons from distributing or dispensing marijuana to certain persons; providing for a certain penalty; establishing an independent Medical Marijuana Oversight Commission; providing for the purpose and membership of the Commission; specifying the terms of the initial members of the Commission; providing for the appointment of a chair and vice chair of the Commission; providing that a member of the Commission may not receive certain compensation but is entitled to certain reimbursement; authorizing the Commission to employ a certain staff; requiring the Commission to consult with certain experts and to meet with a certain frequency; providing for the powers and duties of the Commission; authorizing the Commission to contract with certain entities; requiring the Commission to adopt certain regulations on or before a certain date; authorizing the Commission to suspend or revoke certain registrations; authorizing the Commission to inspect certain entities; requiring the Commission to approve certain certifications of certain physicians; requiring a physician certification to be renewed annually; requiring a certain proposal from a physician to the Commission to include certain information; encouraging the Commission to approve certain applications; exempting certain physicians from certain penalties for certain actions; requiring a certifying physician to submit a certain annual report to the Commission at a certain time; authorizing the Commission to set certain fees; authorizing an academic medical center to apply to the Commission to conduct certain research; requiring the Commission to approve certain applications for registration from academic medical centers; providing the expiration and renewal of proposal from a registered academic medical center; requiring a proposal from an academic medical center to include certain information; encouraging the Commission to approve certain applications from academic medical centers; requiring a registered academic medical center to submit a certain annual report to the Commission at a certain time; requiring the Commission to issue a request for applications for registration as a grower; requiring the Commission to require an applicant for registration as a registered grower to provide certain information; requiring the Commission to approve the fewest number of registered growers as is reasonable; providing for the expiration and renewal of a registration as a registered grower; providing that a registered grower is exempt from certain

State and local penalties for certain actions; requiring a registered grower to meet certain security and safety standards and submit to certain testing of certain marijuana; requiring a registered grower to conduct a certain background check on certain employees; prohibiting a registered grower from holding certain registrations or being a certifying physician; prohibiting certain individuals from being an employee of a registered grower unless the registered grower is also an academic medical center; requiring the Commission to adopt certain regulations after consulting with the Department of Agriculture and State Police; requiring the commission to establish certain fees; requiring the Commission to establish a registration program to register dispensing pharmacies, dispensing centers, and academic medical centers; requiring the Commission to require an applicant for dispensing center, dispensing pharmacy, or academic medical center registration to provide certain information to the Commission; requiring the Commission to charge certain fees for certain applications and for the issuance of certain registrations; providing that a registered academic center is not required to be registered as a dispensing center; requiring certain entities seeking to operate as a dispensing center to perform a certain criminal history records check on each employee; prohibiting certain individuals from obtaining a registration to operate a dispensing center or to be an employee of a dispensing center; requiring certain entities to require employees of the entity to submit to certain drug testing; requiring the Commission to issue a certain registration if certain conditions are met; authorizing the Commission to set reasonable limits on the number of dispensing centers in the State or in a geographic area; requiring the Commission to assign a certain identification number to certain entities; providing that a denial of a certain application shall be considered a final agency decision for a certain purpose; requiring entities that have been issued a certain registration to display the registration in a certain manner and to report certain changes to the Commission at a certain time; prohibiting entities that have been issued a certain registration from holding certain registrations or being a certifying physician; providing for certain restrictions on the advertisement of the sale of marijuana; requiring the Commission, in consultation with State and local law enforcement, to develop certain regulations providing for the issuance of registry identification cards; requiring the Commission to issue a registry identification card to certain patients; requiring a qualifying patient to submit certain information to the Commission; providing for the manner in which the Commission shall approve, deny, and issue a registry identification card; requiring the Commission to deny a request for a primary caregiver for certain reasons; requiring each applicant to serve as a primary caregiver to submit to a certain criminal history records check; prohibiting certain individuals from serving as primary caregivers; requiring a registry identification card to include certain information; requiring a primary caregiver or qualifying patient to provide a certain notice to the Commission under certain circumstances within a certain time period; requiring a certifying physician or registered academic medical center to provide a certain notice to certain patients and the Commission under certain circumstances and within a certain time period; requiring the Commission to establish certain procedures

and to maintain a certain list of individuals to whom the Commission has issued registry identification cards; prohibiting employees of State and local law enforcement from querying certain records; exempting certain persons from certain penalties when acting in accordance with this Act; providing that the possession of, or application for, a registry identification card does not constitute probable cause to conduct a certain search or inspection; providing that an individual may not be subject to certain arrest or prosecution for being in the presence or vicinity of the medical use of marijuana as authorized by this Act; authorizing certain entities to sell or distribute a certain amount of marijuana in a certain time to certain individuals under certain circumstances; requiring registered dispensing pharmacies and registered dispensing centers to follow certain procedures and maintain certain records; providing that a qualifying patient may be registered at only one registered dispensing pharmacy or registered dispensing center at any time; providing for the construction of this Act; providing that this Act may not be construed to provide certain immunity to certain persons; providing that this Act may not be construed to require certain insurance reimbursement; requiring the Commission to submit certain reports to the Governor and General Assembly on or before certain dates; authorizing the Commission to accept certain funds; requiring the Commission to use certain fees in a certain manner; authorizing the Commission to distribute certain funds to certain entities for a certain purpose; authorizing the Commission to provide certain funds to the General Fund; defining certain terms; making this Act an emergency measure; and generally relating to marijuana for medical use.

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 2011 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–402(d)(1)

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY adding to

Article – Criminal Law

Section 5–403(d) and 5–611

Annotated Code of Maryland

(2002 Volume and 2011 Supplement)

BY adding to

Article – Health – General

Section 13–3101 through 13–3116 to be under the new subtitle “Subtitle 31.  
Medical Marijuana”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 996 – Senator Benson**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– John E. Feggans Center Renovation**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to extend the deadline for the Mayor and Common Council of the City of Seat Pleasant to present evidence that a matching fund will be provided; requiring the Board of Public Works to expend or encumber the proceeds of the loan by June 1, 2014; and generally relating to an amendment to the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA02(BF) and Item ZA03(BB–1)

Read the first time and referred to the Committee on Rules.

**Senate Bill 997 – Senator Garagiola**

AN ACT concerning

**Public Utilities – Electric Vehicle Users and Charging Stations – Exclusions**

FOR the purpose of altering certain definitions of “electricity supplier” and “public service company” to exclude, for purposes of certain provisions of law, a person that owns or operates equipment used for charging electric vehicles; altering a certain definition of “retail electric customer” to exclude, for purposes of certain provisions of law, a person that charges an electric vehicle at an electric vehicle charging station; and generally relating to exclusions from certain provisions of law for electric vehicle users and charging stations.

BY repealing and reenacting, without amendments,

Article – Public Utilities  
Section 1–101(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 1–101(j), (x), and (cc)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 998 – Senator Garagiola**

AN ACT concerning

**Motor Vehicle Administration – Plug-In Vehicles – Disclosure of Personal Information**

FOR the purpose of requiring a custodian of certain records of the Motor Vehicle Administration containing personal information to disclose certain personal information related to plug-in vehicles for certain use by an electric company subject to certain restrictions; and generally relating to the disclosure of personal information related to plug-in vehicles from the records of the Motor Vehicle Administration.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–616(p)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–616(p)(5)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2011 Supplement)

Read the first time and referred to the Committee on Rules.

**LAID OVER BILLS**

The presiding officer submitted the following Laid Over Bills with amendments:

**Senate Bill 78 – Senator Kelley**

AN ACT concerning

**Real Property – Condominiums and Homeowners Associations – Foreclosure  
of Certain Liens Prohibited**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE  
AMENDMENT (1) AND THE FAVORABLE REPORT.

**SB0078/208577/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 78  
(First Reading File Bill)

On page 2 in line 29 and on page 3 in line 12, in each instance, after “OWNER”  
insert “FOR AN ANNUAL ASSESSMENT”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**MOTION**

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the  
following Report from the Committee on Executive Nominations.

The motion was adopted.

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #3**

The Senate Executive Nominations Committee reports favorably on the  
attached gubernatorial appointments and recommends that the Senate of Maryland  
advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #3  
February 16, 2012

**Aviation Commission, Maryland**

1. Erwin L. Greenberg District 5  
3448 Butler Road  
Glyndon, MD 21071

Member of the Maryland Aviation Commission; appointed to serve remainder of a term of three years from October 1, 2010

**Controlled Hazardous Substance Advisory Council**

2. Jessica Day Lackey Medicus District 12  
1815 Edmondson Avenue  
Catonsville, MD 21228

Member of the Controlled Hazardous Substance Advisory Council; appointed to serve a term to expire June 30, 2011, and a term of 10 years from July 1, 2011

**Emergency Number Systems Board**

3. Peter A. Lazich District 1  
12020 Ernstville Road  
Big Pool, MD 21711

Member of the Emergency Number Systems Board; appointed to serve remainder of a term of four years from July 1, 2010

**Environmental Sanitarian Registration, State Board of**

4. Bertram F. Nixon District 5  
2125 Misty Meadow Road  
Finksburg, MD 21048

Member of the State Board of Environmental Sanitarian Registration; appointed to serve a term of five years from July 1, 2011

**Fire–Rescue Education and Training Commission**

5. Kathleen M. Hartley District 38  
11845 Peyton Court  
Bishopville, MD 21813

Member of the Fire–Rescue Education and Training Commission; appointed to serve a term of four years from July 1, 2011

6. John D. Jerome District 5  
929 Gahle Road  
Westminster, MD 21157

Member of the Fire–Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2011

7. John W. Kisser District 12  
2814 Tennessee Avenue  
Halethorpe, MD 21227

Member of the Fire–Rescue Education and Training Commission; appointed to serve a term of four years from July 1, 2009

**Health and Mental Hygiene, Board of Review of the Department of**

8. Kimberly M. Thomas, Esq. District 10  
9504 Painted Tree Drive  
Randallstown, MD 21133

Member of the Board of Review of the Department of Health and Mental Hygiene; appointed to serve remainder of a term of three years from July 1, 2008 and a term of three years from July 1, 2011

**Health Benefit Exchange Board, Maryland**

9. Kenneth S. Apfel District 33  
304 Clopston Hill  
Sherwood, MD 21405

Member of the Maryland Health Benefit Exchange Board; appointed to serve a term to expire May 31, 2013

10. Georges C. Benjamin, M.D. District 17  
108 Pembroke View Lane  
Gaithersburg, MD 20877

Member of the Maryland Health Benefit Exchange Board; appointed to serve a term to expire May 31, 2015

11. Darrell J. Gaskin, Ph.D. District 21  
3030 Shoreline Blvd.  
Laurel, MD 20724

Member of the Maryland Health Benefit Exchange Board; appointed to serve a term to expire May 31, 2015

12. Jennifer A. Goldberg, Esq. District 13  
7526 Summer Leave Lane  
Columbia, MD 21046

Member of the Maryland Health Benefit Exchange Board; appointed to serve a term to expire May 31, 2014

### Health Care Commission, Maryland

13. Robert L. Conway District 27  
4001 Starlight Court, P.O. Box 158  
Huntingtown, MD 20639

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2009

14. Garret A. Falcone District 9  
612 Sherry Drive  
Eldersburg, MD 21784

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2010

15. Helene Grady District 41  
108 Wyndhurst Avenue  
Baltimore, MD 21210

Member of the Maryland Health Care Commission; appointed to serve a term of four years from October 1, 2009

16. Glenn E. Schneider District 12  
12106 Blue Flag Way  
Columbia, MD 21044

Member of the Maryland Health Care Commission; appointed to serve a term of four years from October 1, 2011

### **Heritage Areas Authority, Maryland**

17. Burton K. Kummerow District 42  
1503 Maywood Avenue  
Baltimore, MD 21204

Member of the Maryland Heritage Areas Authority; appointed to serve remainder of a term of four years from October 1, 2010

18. Amy M. Owsley District 37  
304 Elm Avenue  
Easton, MD 21601

Member of the Maryland Heritage Areas Authority; appointed to serve for the remainder of a term of four years from October 1, 2008

### **Higher Education Commission, Maryland**

19. Stephan A. Jordan District 3  
5331 Ivywood Drive North  
Frederick, MD 21703

Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2011

20. Gregory A. Schuckman District 9  
5140 Crestwood Lane  
Ellicott City, MD 21043

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2010

21. Rizwan A. Siddiqi, P.E. District 9  
5410 Josie Court  
Ellicott City, MD 21043

Member of the Maryland Higher Education Commission; appointed to serve remainder of a term of five years from July 1, 2008

**Higher Education Labor Relations Board, Maryland**

22. Karl K. Pence District 29  
42539 Henry Court  
Hollywood, MD 20636

Member of the Maryland Higher Education Labor Relations Board; appointed to serve a term of six years from July 1, 2011

**Indian Affairs, Commission on**

23. Robert F. Killen District 13  
10709 Graeloch Road  
Laurel, MD 20723

Member of the Commission on Indian Affairs; appointed to serve a term of three years from July 1, 2011

**Industrial Development Financing Authority, Maryland**

24. W. Scott Harris District 9  
15037 Scottswood Court  
Woodbine, MD 21797

Member of the Maryland Industrial Development Financing Authority; appointed to serve a term of five years from July 1, 2009

25. Louna S. Primm District 5  
59 Rockland Road  
Westminster, MD 21158

Member of the Maryland Industrial Development Financing Authority; reappointed to serve a term of five years from July 1, 2010

**Injured Workers' Insurance Fund, Board for the**

26. Wayne R. Gioioso, Sr. District 7  
11103 Old Carriage Road  
Glen Arm, MD 21057

Member of the Board for the Injured Workers' Insurance Fund; appointed to serve a term of five years from June 1, 2011

27. Ivory Tucker District 33  
566 Laurel Road  
Riva, MD 21140

Member of the Board for the Injured Workers' Insurance Fund; appointed to serve remainder of a term of five years from June 1, 2010

#### **Judicial Disabilities, Commission on**

28. Susan H. Hazlett District 35  
2 South Bond Street, Ste. 100  
Bel Air, MD 21014-3747

Member of the Commission on Judicial Disabilities; appointed to serve remainder of a term of four years from January 1, 2008 and for a term of four years from January 1, 2012

29. Susan R. Hoffmann District 17  
133 Monument Street  
Rockville, MD 20850

Member of the Commission on Judicial Disabilities; appointed to serve remainder of a term of four years from January 1, 2009

#### **Labor Relations Board, State**

30. LeRoy A. Wilkison District 37  
25896 Miles Haven Road, P.O. Box 68  
Newcomb, MD 21653

Member of the State Labor Relations Board; appointed to serve remainder of a term of six years from July 1, 2007

#### **Maryland Environmental Service, Board of Directors of**

31. Edwards C. Adams, Jr. District 35  
1419 B Sharon Acres Road  
Forest Hill, MD 21050

Member of the Board of Directors of Maryland Environmental Service; reappointed to serve a term of four years from July 1, 2011

32. Joseph F. Snee, Jr., Esq. District 35  
1322 Grafton Shop Road  
Bel Air, MD 21014

Member of the Board of Directors of Maryland Environmental Service; reappointed to serve a term of four years from July 1, 2011

### **Maryland Legal Services Corporation Board of Directors**

33. Bernard L. Jennings District 12  
5126 Northern Fences Lane  
Columbia, MD 21044

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2011

34. Pamela J. White District 46  
111 North Calvert Street, 636 Mitchell  
Baltimore, MD 21202

Member of the Maryland Legal Services Corporation Board of Directors; reappointed to serve a term of three years from July 1, 2011

### **School for the Deaf, Board of Trustees of the Maryland**

35. Cynthia Neese Bailes, Ph.D. District 20  
9220 Manchester Road  
Silver Spring, MD 20901

Member of the Board of Trustees of the Maryland School for the Deaf; reappointed to serve a term of six years from October 1, 2010

### **Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

### **Certified Interior Designers, State Board of**

- S-1. Barbara Portnoy Levine District 10  
1805 By Woods Lane  
Stevenson, MD 21153

Member of the State Board of Certified Interior Designers; reappointed to serve a term of three years from July 1, 2011

S-2. H. Christine Pirrung  
12 Romar Drive  
Annapolis, MD 21403  
District 30

Member of the State Board of Certified Interior Designers; reappointed to serve a term of three years from July 1, 2011

#### **Fire-Rescue Education and Training Commission**

S-3. Robert P. Cumberland, Jr.  
222 Shipley Avenue  
Westminster, MD 21157  
District 5

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2011

S-4. Lynn D. Gilroy  
1008 Martin Drive  
LaPlata, MD 20646  
District 28

Member of the Fire-Rescue Education and Training Commission; reappointed to serve a term of four years from July 1, 2010

#### **Health Care Commission, Maryland**

S-5. Randall P. Worthington, Sr.  
217 Prescott Court  
Havre de Grace, MD 21078  
District 34

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2011

#### **Higher Education Commission, Maryland**

S-6. Anwer Hasan  
6548 Ballymore Lane  
Clarksville, MD 21029  
District 13

Member of the Maryland Higher Education Commission; reappointed to serve a term of five years from July 1, 2010

**Labor Relations Board, State**

S-7. June Marie Marshall, Esq.  
336 Legato Terrace  
Silver Spring, MD 20901

District 20

Member of the State Labor Relations Board; reappointed to serve a term of six years from July 1, 2010

**Land Reclamation Committee**

S-8. James C. Ashby  
1236 E. State Street  
Oakland, MD 21550

District 1

Member of the Land Reclamation Committee; reappointed to serve a term of three years from July 1, 2011

S-9. Timothy B. Schwinabart  
664 Pine Tree Point Road  
Swanton, MD 21651

District 1

Member of the Land Reclamation Committee; reappointed to serve a term of three years from July 1, 2011

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 17, 2012

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 191)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #11**

**Senate Bill 72 – Senator Kelley**

AN ACT concerning

**Medical and Dental Treatment – ~~Youth – Registered Nurses and Physician Assistants~~ Consent by Minors and Protections for Licensed Health Care Practitioners**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 192)

The Bill was then sent to the House of Delegates.

**Senate Bill 85 – Senators Jennings and Getty**

AN ACT concerning

**Election Law – Baltimore County Republican Party Central Committee – Election of Chairman**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 193)

The Bill was then sent to the House of Delegates.

**Senate Bill 94 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board for Certification of Residential Child Care Program Professionals – Sunset Extension and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 194)

The Bill was then sent to the House of Delegates.

**Senate Bill 95 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Social Work Examiners – Sunset Extension and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 195)

The Bill was then sent to the House of Delegates.

**Senate Bill 96 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Occupational and Professional Licensing Design Boards – Sunset Provisions and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 196)

The Bill was then sent to the House of Delegates.

**Senate Bill 109 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Architects – Continuing Professional Competency**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 197)

The Bill was then sent to the House of Delegates.

**Senate Bill 144 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Department of Labor, Licensing, and Regulation – Occupational and Professional Licensing – Licensees on Military Deployment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 198)

The Bill was then sent to the House of Delegates.

**Senate Bill 147 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Ethics Commission, State)**

AN ACT concerning

**State Government – Administrative Procedure Act – Changes to Previously  
Published Proposed Regulations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 199)

The Bill was then sent to the House of Delegates.

**Senate Bill 226 – Chair, Finance Committee (By Request – Departmental –  
Labor, Licensing and Regulation)**

AN ACT concerning

**Commissioner of Labor and Industry – Inflatable Amusement Attractions –  
Inspection**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 200)

The Bill was then sent to the House of Delegates.

**Senate Bill 231 – Chair, Finance Committee (By Request – Departmental –  
Disabilities)**

AN ACT concerning

**Individuals with Disabilities – Attendant Care Program**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 201)

The Bill was then sent to the House of Delegates.

**Senate Bill 282 – Chair, Finance Committee**

AN ACT concerning

**Office of Cemetery Oversight – Sunset Extension and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 202)

The Bill was then sent to the House of Delegates.

**THIRD READING CALENDAR (SENATE BILLS) #12****Senate Bill 68 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages – Wine Festival License**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 203)

The Bill was then sent to the House of Delegates.

**Senate Bill 88 – Senator Glassman**

AN ACT concerning

**Local States of Emergency – Time Period – Extension**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 204)

The Bill was then sent to the House of Delegates.

**Senate Bill 112 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Maryland Agricultural Land Preservation Foundation – Appraisal  
Requirement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 205)

The Bill was then sent to the House of Delegates.

**Senate Bill 113 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Weights and Measures – Registration Fees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 1    (See Roll Call No. 206)

The Bill was then sent to the House of Delegates.

**Senate Bill 114 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Controlled Hazardous Substance Driver Certification –  
Elimination**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 207)

The Bill was then sent to the House of Delegates.

**Senate Bill 115 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Waterworks and Wastewater Works Certified Operators**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 208)

The Bill was then sent to the House of Delegates.

**Senate Bill 117 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Water Appropriation Permits – Construction Dewatering  
Projects**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 209)

The Bill was then sent to the House of Delegates.

**Senate Bill 118 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Voluntary Agricultural Nutrient and Sediment Credit Certification Program**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 210)

The Bill was then sent to the House of Delegates.

**Senate Bill 143 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Education)**

AN ACT concerning

**Education – Comprehensive Master Plans**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 211)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 212)

**ADJOURNMENT**

At 10:39 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 17, 2012.