



## **2011 LEGISLATIVE REPORT**

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## EXECUTIVE SUMMARY

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The following 2011 Legislative Report provides a comprehensive analysis of the impacts of the Maryland General Assembly's actions related to environmental issues and the Department of Natural Resources (DNR). The report includes pertinent details on the fiscal year 2011 operating and capital budgets ([House Bill 70](#) and [House Bill 71](#)), the Budget Reconciliation and Financing Act of 2011 (BRFA – [House Bill 72](#)), excerpts from the Joint Chairmen's Report (JCR), summaries of enacted legislation, and a listing of unsuccessful bills. The legislation section of the report is divided among four categories: 1) Administration – enacted bills drafted and introduced on behalf of the Governor; 2) DNR Departmental – enacted bills drafted and introduced on behalf of the Department of Natural Resources; 3) Environmental – enacted bills related to natural resources, environmental, energy, and agricultural resources; and 4) State and Local Government – enacted legislation pertaining to state agencies, local governments, personnel, and procurement. Throughout the report, legislation is ordered by Senate bill number and any corresponding crossfile first, then House bill number.

A total of 2,353 pieces of legislation were introduced during the 2011 session of the Maryland General Assembly. Approximately 30% of those bills (707) successfully passed in both chambers. DNR's Legislative Office tracked 240 bills during the 2011 session. Overall, the session was more noted by bills that failed to become enacted than those adopted. In addition to controversial social issues, such as medical marijuana use and civil rights, the following notable environmental legislation failed to progress: catalyzing off-shore wind development ([Senate Bill 861 / House Bill 1054](#)); evaluating the impacts of Marcellus Shale drilling ([Senate Bill 634 / House Bill 852](#)); and prohibiting septic systems in new housing developments ([Senate Bill 846 / House Bill 1107](#)).

The Department successfully progressed legislation that improves fisheries law enforcement and management by:

- ✓ authorizing the Natural Resources Police to issue electronic citations and conduct administrative inspections of commercial fishing vessels, vehicles used to transport fish for commercial purposes, and fish businesses, and removing mandatory hearing requirements before administrative suspension of fishing licenses ([Senate Bill 414 / House Bill 396](#));
- ✓ requiring revocation of an authorization to catch oysters after citation for an oyster poaching violation and an administrative hearing ([Senate Bill 159 / House Bill 273](#));
- ✓ requiring the revocation of an individual's commercial fishing license if they are found by an Administrative Law Judge to have knowingly committed an egregious or repeat violation against striped bass or blue crabs ([Senate Bill 635 / House Bill 1154](#));
- ✓ increasing the penalty for commercial fishing with a suspended license, a revoked license, or without a license, by establishing a fine of up to \$25,000 and imprisonment for up to one year ([Senate Bill 655 / House Bill 1225](#)); and
- ✓ authorizing the Department to regulate fishing gear ([House Bill 111](#)).

The Department successfully progressed legislation that improves aquaculture opportunities by:

- ✓ streamlining aquaculture permitting and leasing procedures, and consolidating aquaculture and seafood marketing activities in DNR ([Senate Bill 847 / House Bill 1053](#)); and
- ✓ allowing leasing of barren areas within existing oyster sanctuaries for aquaculture ([House Bill 208](#)).

The Department successfully progressed legislation that improves the Department's internal operations by:

- ✓ streamlining and consolidating functions relating to land acquisition for open space, recreation, conservation, and other purposes within DNR ([Senate Bill 849](#) / [House Bill 1025](#)); and
- ✓ enabling the Department to renew tree expert licenses bi-annually rather than annually ([Senate Bill 80](#)).

The Department also supported bills which improved management of invasive plants ([House Bill 831](#)) and increased deer hunting opportunities.

Budget challenges dominated the legislative session again this year. The General Assembly enacted a \$34.2 billion budget for fiscal 2012 – an increase of \$940.4 million, 2.8% above fiscal 2011 spending levels. Overall general fund appropriations increases by \$1.5 billion, 11.2% above fiscal 2011, due to replacement of expiring federal stimulus funds. Federal fund spending decreases by \$1 billion (10%). Special fund expenditures grow by \$426.8 million (7.1%) compared to the fiscal 2011 working appropriation. Once again, the BRFA helped balance the State's fiscal year 2012 budget through fund balance transfers, use of special funds in lieu of general funds, formula changes, and other provisions.

Revenue from the Chesapeake and Atlantic Coastal Bays 2010 Fund as well as \$94.5 million of transfer tax revenues were transferred to the general fund. Approximately \$100.9 million in general fund reductions, including \$1.7 million from the Department of Natural Resources, will be restored from special fund sources. The BRFA of 2011 continued the suspended payments-in-lieu-of-taxes generated from park earnings for fiscal 2012 and 2013. The sales tax on alcoholic beverages was increased from 6 to 9%, effective July 1, 2011. A proposed repeal of the Maryland-mined coal tax credit was rejected.

A number of budget reduction provisions, commonly referred to as “back of the budget” provisions, affected all state agencies. With respect to personnel, the budget assumes no furlough or temporary salary reduction plan for the first time in three fiscal years. A one-time \$750 bonus will be paid to all employees not in bargaining units that received alternative salary adjustments. The bonus funds, which will only be made to employees in State service prior to July 1, 2011, will be spread across the 26 pay periods of fiscal 2012. No funds are budgeted for salary increments, cost-of-living increases, or deferred compensation matching for fiscal 2012. The general prohibition on merit increments was statutorily extended through April 1, 2014, with an exemption provided in fiscal 2012 for staff deemed “operationally critical.” Higher prescription drug co-pays for active employees and savings due to favorable health trends are expected to save \$13.4 million in the State budget. The legislature required the Governor to abolish an additional 450 positions by January 1, 2012 through the Supplemental Budget No. 1. The budget also directed reduced expenditures on electricity due to anticipated energy-saving actions and renovations in State buildings.

The State's capital budget totals \$3.098 billion, an increase of \$36 million, compared to the fiscal 2011 working appropriation. Of the total amount, \$925 million is funded with general obligation (GO) bonds; \$15.902 million is funded with Qualified Zone Academy Bonds; \$296.6 million is funded on a pay-as-you-go (PAYGO) basis in the operating budget; \$47.5 million in additional

general fund PAYGO is funded in House Bill 1213; \$180 million (a \$30 million increase from 2011) is funded with revenue bonds to be issued by the Maryland Department of the Environment (MDE) to support wastewater treatment plant upgrades; and \$27 million is funded with academic revenue bonds for the University System of Maryland facilities. Once again, the capital budget includes funding for House and Senate initiatives originally introduced as individual bond bills.

We hope that you find the 2011 Legislative Report informative and useful. Should you have any questions, please do not hesitate to contact the Department's Legislative Office at 410-260-8107. Our shared success in advancing the Department's mission to protect and restore Maryland's natural resources during the 2011 legislative session would not have been possible without the hard work of the many DNR employees who provided critical assistance and expertise. The Department's legislative team during the 2011 General Assembly session was led by interim Legislative Liaison Rich Norling, Legislative Assistant Eileen Mosley, and Legislative Fellow Gregory Carlock. I would particularly like to thank Rich for his tireless advocacy on behalf of the Department this past session during my maternity leave.

For detailed information on legislation and issues related to the Maryland General Assembly, visit their website at [www.mlis.state.md.us](http://www.mlis.state.md.us).

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## OPERATING BUDGET HIGHLIGHTS

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The Department of Natural Resources' fiscal year 2012 operating budget appropriation totals \$234,233,568 million, an 18.4% increase from its 2011 working appropriation. The budget committees rejected a Department of Legislative Services' recommendation to permanently, beginning in 2013, direct all transfer tax revenue to the general fund, and establish a specified funding limit for Program Open Space and other programs supported by the transfer tax.

As a result of committee narrative and budget amendments contained in the [Joint Chairmen's Report](#), the Department must submit reports related to the Waterway Improvement Fund and construction permits. The Department must also spend \$600,000 of the Chesapeake and Atlantic Coastal Bays 2010 Trust fund on water quality monitoring near the State's border or forfeit the funds. DNR and the Department of Budget and Management must submit reports on Chesapeake Bay restoration expenditures and two-year milestone funding with the fiscal 2013 budget submission, including how funding responsibility will be allocated and tracked in the Phase II portion of the Watershed Implementation Plan development. In addition to those reports required of DNR, examples of other reports of interest include requiring:

- the Department of General Services to outline the State's energy conservation efforts;
- the Department of Transportation to outline how expansion of stormwater restoration efforts will be financed within its capital program and how it will manage meeting the goals of the State's Watershed Implementation Plan; and
- the Department of Budget and Management to evaluate the feasibility of consolidating police forces administratively under the Department of State Police.

The [Budget Reconciliation and Financing Act of 2011](#) (House Bill 72 / Senate Bill 87) contained several items affecting DNR's budget. From fiscal 2012 through 2016, \$59.5 million in revenues from the sales tax on rental cars and the motor fuel tax that would otherwise go to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund are directed to the general fund. The BRFA continued the suspended payments-in-lieu-of-taxes generated from park earnings for fiscal 2012 and 2013. Once again, the BRFA authorizes the Department of Planning, the Department of General Services, and DNR to use transfer tax revenues for operating expenses supporting land acquisition and other programs. Additionally, the BRFA authorizes the following amounts to be transferred from their respective special funds to the general fund before June 30, 2011:

- \$970,000 from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund;
- \$5,591,172 of Program Open Space that was originally budgeted for debt service;
- \$256,000 of the Forest or Park Reserve Fund;
- \$62,000 of the Deep Creek Lake Recreation Maintenance and Management Fund;
- \$313,000 of the State Boat Act Fund;
- \$68,000 of the Waterway Improvement Fund;

Additionally, the BRFA authorizes the following amounts to be transferred from their respective special funds to the general fund before June 30, 2012:

- \$90 million of the Bay Restoration Fund (MDE);\*
- \$94,491,115 of Program Open Space;\* and
- \$1,090,000 million from the Waterway Improvement Fund.

While the cash in these funds were transferred to the general fund to assist with the overall budget deficit, funding for the special funds with an asterisk (\*) notation above was generally maintained through bonds.

Pertinent excerpts from the Joint Chairman’s Report are included below.

**K00A – DEPARTMENT OF NATURAL RESOURCES**

A budget amendment added the following language:

Provided that contingent upon the enactment of HB 72 or SB 87 to eliminate the Department of Natural Resources’ payment in lieu of taxes to local jurisdictions, the following appropriations shall be reduced:

	<u>General Funds</u>	<u>Special Funds</u>
K00A02.09 Forest Service appropriation for administrative expenses	\$1,740,000	\$0
K00A04.01 Statewide Operation appropriation for park earnings by \$1,600,000	\$0	\$1,600,000
K00A04.06 Revenue Operations appropriation for park earnings	\$0	\$140,000
Total	\$1,740,000	\$1,740,000

Further provided that authorization is hereby provided to process a Special Fund budget amendment of \$1,740,000 to use these special funds to replace the aforementioned General Fund amount.

Explanation: The Administration included in the fiscal 2012 budget bill a reduction of \$2,374,852 for Forest Service general fund appropriation contingent upon the enactment of legislation to eliminate the payment in lieu of taxes for park earnings to localities. However, the intent was to make the reduction contingent on the elimination of timber sales and Deep Creek Lake revenues payments to localities as well. In addition, the Administration inadvertently left out the reduction in special fund appropriation for Maryland Park Service – Statewide Operation (\$1,835,000), and Maryland Park Service – Revenue Operations (\$140,000) that is needed to allow for the special funds to be re-appropriated to the Forest Service in order to backfill the general fund reduction. This action implements a reduction to park earnings only.

A budget amendment added the following language under:

**K00A02.09 Forest Service**

It is the intent of the General Assembly that the Department of Natural Resources increase the number of timber harvests in State forests in order to increase the amount of revenue generated.

A budget amendment reduced and transferred funds under:

**K00A05.10 Outdoor Recreation Land Loan**

1. Delete the Program Open Space local special fund appropriation of \$20,841,842 to reflect the Governor’s contingent reduction.
2. Reduce the Program Open Space State special fund appropriation by \$21,579,747 to reflect the Governor’s contingent reduction. This reflects \$19,503,491 in State land acquisition funding and \$2,076,256 in Heritage Conservation Fund funding. The remainder of the State land acquisition amount, \$2,717,000, is kept as special funds for the Baltimore City direct grant of \$1,500,000 and for operating expenses of \$1,217,000.
3. Delete the Rural Legacy Program special fund appropriation of \$13,767,378 to reflect the Governor’s contingent reduction.
4. Delete the Program Open Space – Capital Improvements special fund appropriation of \$4,000,000 to reflect the Governor’s contingent reduction.
5. Delete the Natural Resources Development Fund special fund appropriation of \$5,625,567 to reflect the Governor’s contingent reduction. Included in this appropriation is \$4,625,567 in Natural Resources Development Fund funding and \$1,000,000 for the State share of the Ocean City Beach Replenishment Fund.
6. Delete the Program Open Space – Dam Rehabilitation Program special fund appropriation of \$500,000 to reflect the Governor’s contingent reduction.

	<u>Allowance</u>	<u>Appropriation</u>	<u>Reduction Amount</u>
Special Fund	\$69,031,534	\$2,717,000	\$66,314,534
Federal Fund	\$3,000,000	\$3,000,000	\$0
<b>Total Funds</b>	<b>\$72,031,534</b>	<b>\$5,717,000</b>	<b>\$66,314,534</b>

Further provided that contingent upon the enactment of HB 72 or SB 87, \$1,217,000 of this appropriation for State land acquisition may be transferred to other programs within the department for administrative expenses.

Explanation: This action is a technical correction that reflects the intent of the Administration to provide \$1,217,000 for operating expenses out of the State land acquisition funding. The steep decline in transfer tax revenues has resulted in insufficient funding for Program Open Space administration. A corresponding action is reflected in the Budget Reconciliation and Financing Act of 2011.

Strike the following language from the special fund appropriation:

~~Notwithstanding the appropriations above, the Special Fund appropriation for the Outdoor Recreation Land Loan shall be reduced by \$66,314,534 contingent on the enactment of legislation crediting \$66,314,534 of the transfer tax revenues to the General Fund. The reduction shall be distributed in the following manner:~~

Program Open Space – State Acquisition .....	\$21,579,747
Program Open Space – Local Share .....	\$20,841,842
Program Open Space – Capital Improvements .....	\$10,125,567
Rural Legacy .....	\$13,767,378
Total .....	\$66,314,534

Explanation: The fiscal 2012 budget bill as introduced includes a \$66,314,534 reduction for the Outdoor Recreation Land Loan Program contingent upon the enactment of a provision in the Budget Reconciliation and Financing Act of 2011 crediting transfer tax revenues to the general fund. This action strikes that contingent reduction so that the reduction may be taken directly. The Program Open Space – State Acquisition funding reduction includes \$2,076,256 for the Heritage Conservation Fund and the remainder of \$19,503,491 for State land acquisition. The Program Open Space – Capital Improvements funding reduction includes \$4,625,567 for the Natural Resources Development Fund, \$4,000,000 for the Critical Maintenance Program, \$1,000,000 for the State share of the Ocean City Beach Replenishment Fund, and \$500,000 for Dam Rehabilitation.

The Supplemental Budget No. 1 further reduced appropriations under:

**K00A05.10 Outdoor Recreation Land Loan**

Delete fiscal 2010 transfer tax overattainment being reflected in the fiscal 2012 budget since a corresponding Budget Reconciliation and Financing Act of 2011 provision already transfers the funding to the general fund. Special funds are reduced by \$7,151,373.

Budget amendments reduced appropriations and required certain expenditures under:

**K00A14.02 Watershed Services**

Provided that this appropriation shall be reduced by ~~\$18,669,444~~ \$20,169,444 contingent upon the enactment of legislation to allocate **Chesapeake Bay 2010 Trust Fund** revenue to the General Fund.

Explanation: The fiscal 2012 budget bill as introduced includes an \$18,669,444 contingent reduction to the allocation of the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund upon enactment of a provision in the Budget Reconciliation and Financing Act of 2011 to allocate the revenue to the general fund. This action reduces the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund allocation by an additional \$1,500,000.

Further provided that \$600,000 of this appropriation made for the purpose of funding Chesapeake and Atlantic Coastal Bays 2010 Trust Fund related activities may not be expended for that purpose, but instead may be used only to initiate a three-year program of purchasing and placing water quality monitoring stations in streams that originate outside of Maryland. The stations shall be placed at the point where the main branch of the streams enter Maryland and at the point where the streams empty into a tributary of the Chesapeake Bay. It is the intent of the General Assembly that additional funding be provided in fiscal 2013 and 2014 in order to complete the purchase and placement of the water quality monitoring stations. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

Explanation: This action restricts \$600,000 of the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund appropriation to the purchase and placement of water quality monitoring stations for the determination of State responsibility for nutrient and sediment loading in streams that enter a tributary of the Chesapeake Bay. In addition, the General Assembly's intent to fund the purchase and placement of the water quality monitoring stations over three years is expressed.

#### Committee Narratives

Marcellus Shale Drilling and Valuation for the **Rural Legacy Program:** The committees are concerned that landowners in the Bear Creek Rural Legacy Area are dissuaded from participating in the Rural Legacy easement acquisition program due to restrictions on natural gas exploration in the Marcellus Shale formation. As such, the committees request that the Department of Natural Resources either (1) allow Rural Legacy Program easement applicants to be able to have natural gas extracted by horizontal drilling under the applicant's property from an adjacent property, or (2) include the value of natural gas in the mineral rights valuation for determination of the easement purchase price.

#### K00A11.02 **Waterway Improvement Capital Program**

The committees are concerned that vessel excise tax revenue has declined precipitously and that this has reduced the amount of capital funding available from the Waterway Improvement Program for dredging and other public boating purposes. Yet, an economic study by the Maryland Sea Grant found that the total impact of boating on Maryland in 2007 was estimated to be \$2 billion and 35,205 jobs. Therefore, the committees request that the Department of Natural Resources submit a report by September 1, 2011, providing the following: the options for raising vessel excise tax revenues, the possibility of operating budget expenditure reductions, and a prioritization plan for the use of available funding for capital improvements.

### **OTHER ITEMS OF DNR INTEREST IN THE JOINT CHAIRMEN'S REPORT – OPERATING SECTION**

#### **C81C – OFFICE OF THE ATTORNEY GENERAL**

A budget amendment reduced general fund appropriations under:

#### C81C00.01 **Legal Counsel and Advice**

The General Fund appropriation is reduced by \$1,584,485. The Governor is authorized to process a reimbursable fund budget amendment for \$1,584,485 to recover the indirect costs incurred by the Division of Legal Counsel and Advice to support assistant attorneys general budgeted in other Executive Branch agencies.

Explanation: It is the intent of the General Assembly that OAG shall absorb \$500,000 of this reduction for cost containment purposes and recover the remaining \$1,084,485 through reimbursable funds.

A budget amendment added the following language to the general fund appropriation under:

**C81C00.01 Legal Counsel and Advice**

Further provided that \$100,000 of the General Fund appropriation may not be expended until the OAG submits a report to the budget committees detailing the costs incurred by the Division of Legal Counsel and Advice to support assistant attorneys general budgeted in other State units, including other branches of State government and higher education. For all attorneys that report to the Attorney General and are budgeted within other Executive Branch State agencies or other branches of government, the report shall include:

- (1) a schedule of budgeted salaries and benefits for attorneys, as well as additional non-personnel costs for operations such as supplies, phones, rent, computers, and training;
- (2) the amount of time spent by attorneys writing reports, opinions and other documents as requested by other parties; and
- (3) a detailed summary of fees incurred annually by OAG, State agencies, and other branches of government for outside legal services and legal experts.

The report shall be submitted by November 1, 2011, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: There are at least 331 attorneys statewide that report to the Attorney General and are budgeted within other agencies. In addition, the state incurs expenses for outside legal counsel when existing resources are not sufficient to respond to certain lawsuits or large numbers of requested reports and opinions. This action restricts general funds until OAG submits a report examining the resources utilized statewide for both personnel and contractual services to fulfill the duties of OAG.

**D13A – EXECUTIVE DEPARTMENT, MARYLAND ENERGY ADMINISTRATION**

A budget amendment reduced special fund appropriations under:

**D13A13.02 The Jane E. Lawton Conservation Loan Program – Capital Appropriation**

The Maryland Energy Administration’s recent encumbrance history does not indicate that the agency will be able to encumber \$3 million. If the agency is able to develop a project list to encumber more than \$2.5 million, a deficiency appropriation could allow for additional spending authority.

<u>Allowance</u>	<u>Appropriation</u>	<u>Reduction Amount</u>
\$3,000,000	\$2,500,000	\$500,000

Committee Narrative

**Maryland Clean Energy Center:** It is the intent of the committees that no funds from the Maryland Energy Administration’s fiscal 2012 appropriation be used to support the Maryland Clean Energy Center through loans, grants, or contracts.

## **D40W – DEPARTMENT OF PLANNING**

Budget amendments reduced general fund appropriations under:

### **D40W01.04 Planning Services**

Delete a vacant position and funding. The associated position number is 005547 (Planner V). The position has been vacant for 12 months or longer and has been denied exemption from the hiring freeze.

	<u>Allowance</u>	<u>Appropriation</u>	<u>Reduction Amount</u>	<u>Position Reduction</u>
Positions	34.5	33.5		1
General Fund	\$2,232,590	\$2,178,629	\$53,961	
Federal Fund	\$53,146	\$53,146 0		
Total Funds	\$2,285,736	\$2,231,775	\$53,961	

### **D40W01.12 Sustainable Communities Tax Credit**

\$2,000,000 of this appropriation made for the purpose of providing tax credits for qualified rehabilitation expenditures may not be expended for that purpose but instead may be transferred only by budget amendment to T00G00.06 Film Production Rebate Program in the Department of Business and Economic Development to be used to fund film production rebates contingent upon the failure of HB 1148 and SB 672. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund.

	<u>Allowance</u>	<u>Appropriation</u>	<u>Reduction Amount</u>
General Fund	\$10,000,000	\$9,000,000	\$1,000,000

## **F10 – DEPARTMENT OF BUDGET AND MANAGEMENT**

A budget amendment added the following language under:

### **F10A02.08 Statewide Expenses**

Provided that no funding for employee bonuses may be provided to employees in any bargaining unit that has received salary adjustments through bargained agreements during fiscal 2011 or will receive such in fiscal 2012. Employees that are members of bargaining units that receive salary adjustments, but occupy positions not subject to increases under the unit's agreement, may receive bonus funds. Further provided that employee bonus payments shall be restricted to employees who began State service prior to July 1, 2011.

Explanation: Several of the State's bargaining units, such as the State Law Enforcement Officers Labor Alliance and Maryland Transit Administration, were provided salary adjustments during fiscal 2011, or will be in fiscal 2012, that are not shared by other State employees. Under this action, because members of these other bargaining units have already received their agreed-upon compensation enhancements they will consequently not participate in the one-time \$750 bonus payment, which was bargained on behalf of the

remainder of State employees. Employee bonus payments are restricted to employees who began State service prior to July 1, 2011.

## **H00 – DEPARTMENT OF GENERAL SERVICES**

### Committee Narratives

**Annual Report on Energy Conservation Efforts:** The State Building Energy Efficiency and Conservation Act of 2006 required the Department of General Services (DGS) and the Maryland Energy Administration to develop energy use index and savings goals for every State agency. Consistent with the State Building Energy Efficiency and Conservation Act, the EmPOWER Maryland Energy Efficiency Act of 2008 established a State goal of achieving a 15% reduction in per capita electricity consumption and peak demand by the end of 2015. Beginning November 1, 2011, and annually thereafter, DGS shall submit a status report to the committees outlining the State’s energy conservation efforts. The report shall include:

- strategies employed by the department to reduce statewide energy consumption;
- an update on the implementation of the State’s utility database, including the status of agency compliance in providing missing utility data;
- statewide utility costs and consumption data (by agency);
- energy use index and savings goals for every State agency; and
- the State’s level of compliance with the State Building Energy Efficiency and Conservation Act and the EmPOWER Maryland Energy Efficiency Act.

**Annual Report on Energy Performance Contract Savings Monitoring and Verification Compliance:** The ability to verify energy savings is the cornerstone of the energy performance contract (EPC) process. A January 2011 audit of the Department of General Services revealed that additional oversight in this area is warranted. To the extent that funding is available, DGS should solicit the services of an independent third-party to audit and verify EPC cost savings. Beginning December 1, 2011, and annually thereafter, DGS shall submit a report to the budget committees that outlines the status of the energy cost savings guaranteed by each energy service company, including whether the anticipated cost savings have materialized. Finally, the report shall indicate whether each project is supported by a surety instrument, including the dollar amount and expiration date of each instrument.

## **J – DEPARTMENT OF TRANSPORTATION**

### Committee Narratives

**Watershed Implementation Plan Report:** The Maryland Department of Transportation (MDOT) is required to expand its stormwater restoration efforts as part of the State’s Watershed Implementation Plan (WIP). It is estimated that the total cost to implement the WIP for MDOT is approximately \$1.5 billion. Currently, the 2011-2016 Consolidated Transportation Program only includes \$90 million in funding. MDOT shall submit a report

to the committees that outlines how the department will fit this cost into its capital program including any changes in project priorities or new funding mechanisms. Furthermore, the department shall discuss how it will manage meeting the goals in the WIP.

**Maritime Fire Fighting Capabilities:** The Maryland Department of Transportation (MDOT) provides an annual grant of \$1.4 million to Baltimore City to support the Baltimore City Fire Department Maritime Unit. The grant is made in consideration of the Maritime Unit’s emergency response capability for the land and water comprising the Port of Baltimore. The committees are interested in learning more about other maritime emergency response resources that are available and about Baltimore City’s Maritime Unit. The Maryland Port Administration (MPA), in consultation with the Baltimore City Fire Department Maritime Unit, should prepare a report on:

- what maritime emergency response resources are available on the Chesapeake Bay;
- the number of personnel and equipment assigned to the Baltimore City Fire Department Maritime Unit;
- the number and type of calls that the Baltimore City Fire Department Maritime Unit responded to in each year from fiscal 2009 through 2011; and
- the annual budget for the Baltimore City Fire Department Maritime Unit, including the amount and source of funding to support the annual budget.

Furthermore, as outlined in provision 9 of the grant agreement between MDOT and Baltimore City, MDOT should conduct an audit of the fiscal 2011 expenditures made using this grant money. A copy of the audit should be provided to the committees by December 1, 2011.

**L – DEPARTMENT OF AGRICULTURE**

A budget amendment reduced special fund appropriations under:

**L00A11.11 Capital Appropriation**

Reduce the **Maryland Agricultural Land Preservation Foundation** special fund appropriation by \$19,555,275 to reflect directly the Governor’s contingent reduction of the property transfer tax allocated to the program.

	<u>Allowance</u>	<u>Appropriation</u>	<u>Reduction</u>
Special Funds	\$23,755,275	\$4,200,000	\$19,555,275

Explanation: The fiscal 2012 budget bill as introduced includes a \$19,555,275 reduction for Maryland Agricultural Land Preservation Foundation agricultural easement purchases contingent upon enactment of a provision in the Budget Reconciliation and Financing Act of 2011 crediting transfer tax revenues to the general fund. This action strikes that contingent reduction so that the reduction may be taken directly.

Action via the Supplemental Budget No. 1 further reduced appropriations under

**L00A11.11 Capital Appropriation**

Delete fiscal 2010 transfer tax over-attainment being reflected in the fiscal 2012 budget since a corresponding Budget Reconciliation and Financing Act of 2011 provision already transfers the funding to the general fund. Special funds reduced by \$1,469,933.

A budget amendment also struck the contingency language under:

**L00A12.20 Maryland Agricultural and Resource-Based Industry Development Corporation**

Strike the following language from the general fund appropriation:

~~, provided that this appropriation shall be reduced by \$1,750,000 contingent upon the enactment of legislation reducing the mandated amount of funds for the Maryland Agricultural and Resource-Based Industry Development Corporation.~~

Explanation: The fiscal 2012 budget bill as introduced includes a \$1,750,000 reduction to the Maryland Agricultural and Resource-Based Industry Development Corporation, contingent upon enactment of a provision in the Budget Reconciliation and Financing Act of 2011. This action strikes that contingent reduction.

A budget amendment added the following language under:

**L00A15.03 Resource Conservation Operations**

, provided that \$500,000 of this appropriation for the Maryland Department of Agriculture made for the purpose of general operating expenses may not be expended until MDA provides a report on soil conservation district field personnel position counts and funding for the fiscal 2011 actual, fiscal 2012 working appropriation, and fiscal 2013 allowance. The scope of the report is as follows:

1. the number of contractual and permanent soil conservation district field personnel positions (defined as soil conservation planner, soil conservation associate, and soil conservation engineering technician positions); and
2. the amount of funding budgeted by fund for regular position expenses directly attributable to field personnel and, separately, operating expenses indirectly associated with field personnel.

The report shall be submitted in conjunction with submission of the fiscal 2013 budget and annually thereafter and the budget committees shall have 45 days to review and comment following receipt of the report. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: Section 8-405 of the Agriculture Article mandates that the Governor shall include in the annual budget bill an amount sufficient to employ not less than 110 field personnel in the soil conservation districts and that the appropriation for fiscal 2012 shall be \$10 million. The General Assembly is concerned that it is difficult to independently verify funding for the 110 soil conservation field personnel and \$10 million funding level for soil

conservation district field personnel in the fiscal 2012 allowance since the requested report was not submitted.

A budget amendment reduced special funds under:

**L00A15.03 Resource Conservation Operations**

Deletes funding for programs funded by **Chesapeake and Atlantic Coastal Bays 2010 Trust Fund** revenues due to uncertainty about the final allocation and double budgeting of the funds in the State budget. A special fund budget amendment may be processed to allocate the funding to the Maryland Department of Agriculture.

	<u>Allowance</u>	<u>Appropriation</u>	<u>Reduction</u>
General Fund	\$8,416,230	\$8,416,230	
Special Fund	\$1,220,955	\$448,570	\$772,385
Federal Fund	\$216,872	\$216,872	
<u>Total Funds</u>	\$9,854,057	\$9,081,672	\$772,385

A budget amendment reduced special funds under:

**L00A15.04 Resource Conservation Grants**

Deletes funding for programs funded by **Chesapeake and Atlantic Coastal Bays 2010 Trust Fund** revenues due to uncertainty about the final allocation and double budgeting of the funds in the State budget. A special fund budget amendment may be processed to allocate the funding to the Maryland Department of Agriculture.

	<u>Allowance</u>	<u>Appropriation</u>	<u>Reduction</u>
General Fund	\$816,923	\$816,923	
Special Fund	\$18,328,891	\$6,273,835	\$12,055,056
<u>Total Funds</u>	\$19,145,814	\$7,090,758	\$12,055,056

**U00A – DEPARTMENT OF THE ENVIRONMENT**

A budget amendment added the following language under:

**U00A07.01 Air and Radiation Management Administration**

Provided that \$250,000 of this appropriation for the Maryland Department of the Environment’s Air and Radiation Management Administration made for the purpose of general operating expenses may not be expended until MDE submits a report on how it is using the revenues from the Strategic Energy Investment Fund to further climate change work, in general, and to meet the requirements of Chapters 171 and 172 of 2009. The budget committees shall have 45 days to review and comment upon the receipt of the report. Funds restricted pending the receipt of the report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the report is not submitted to the budget committees.

Explanation: MDE receives funding from the Strategic Energy Investment Fund (SEIF) that is deposited into the Maryland Clean Air Fund. The General Assembly is concerned that the revenues from the SEIF – the sale of carbon dioxide allowances – are subject to uncertainty and year-to-year variability despite the need for MDE to recoup the costs of managing Maryland’s role in the quarterly carbon dioxide allowance auctions and the expenses associated with implementing Chapters 171 and 172 of 2009. In addition, the General Assembly is concerned that it is not clear how the revenues received from the SEIF are being used. Finally, the General Assembly is concerned that a similar report was requested in the 2010 Joint Chairmen’s Report for submission with the fiscal 2012 budget, but was not submitted.

A budget amendment reduced special funds under:

**U00A10.01 Coordinating Offices**

Delete operation and maintenance funding for wastewater treatment plants upgraded to enhanced nutrient removal technology. The agency is required to use up to 10% of the annual fee revenue from wastewater treatment plant users for this purpose.

	<u>Allowance</u>	<u>Appropriation</u>	<u>Reduction</u>
General Fund	\$3,961,961	\$3,961,961	
Special Fund	\$7,653,912	\$6,653,912	\$1,000,000
Federal Fund	\$4,433,467	\$4,433,467	
<u>Total Funds</u>	\$16,049,340	\$15,049,340	\$1,000,000

**W10A - DEPARTMENT OF STATE POLICE**

Committee Narrative

**Police Consolidation:** The committees are interested in the feasibility of consolidating Maryland’s police forces. The unification of police forces would eliminate a number of jurisdictional law enforcement authority issues; provide citizens and government officials with one State law enforcement agency to address roadway safety and law enforcement issues; enhance accountability; improve intelligence sharing and the coordination of investigations; and provide a unified communications and dispatch center. The consolidation of statewide police forces administratively under the Department of State Police (DSP) would also offer the potential for personnel, motor vehicle and equipment, and training efficiencies. Under this proposal, similar to the Delaware Department of State Police, agencies would fall under the overarching umbrella of DSP, but would continue to maintain their current identities and missions. Despite these advantages, there are many practical considerations that would have to be evaluated prior to consolidating police forces. These include (1) differences in agency culture, mission, and philosophy; (2) variations in sworn officer training requirements; and (3) differences in employee benefits across police forces. Given the complexity of this issue and the need for additional information, the committees request that a report be submitted by December 1, 2011, evaluating the feasibility of consolidating police forces administratively under DSP. The report shall be prepared by the Department of Budget and Management (DBM) in consultation with the Maryland Transit

Administration, Department of General Services, Maryland Transportation Authority, and DSP.

## SECTIONS

A budget amendment deleted the following section:

### **Section 26 Savings from Consolidation of Functions**

~~SECTION 26. AND BE IT FURTHER ENACTED, That for fiscal year 2012 funding for agencies affected below shall be reduced by general funds of \$1,130,000 contingent upon the enactment of legislation consolidating the functions and responsibilities of the Department of Natural Resources and other agencies with aquaculture and land preservation functions in accordance with a schedule determined by the Governor.~~

Explanation: The fiscal 2012 budget bill as introduced includes in Section 26 a reduction of \$1,130,000 in general funds contingent upon enactment of separate legislation consolidating aquaculture and land preservation functions in the Department of Natural Resources. Two bills were introduced in the 2011 session: HB 1053/SB 847 (Natural Resources – Aquaculture) and HB 1025/SB 849 (Natural Resources – Land Acquisitions). The Administration has indicated that the savings associated with these two bills may only be on the order of \$100,000 in general funds. This action strikes the contingent reduction to reflect the limited amount of and uncertainty surrounding the funding reduction to be achieved by the consolidations.

### **Section 45 Chesapeake Bay Restoration Spending**

SECTION 45. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management and Department of Natural Resources provide two reports on Chesapeake Bay restoration spending. The reports shall be drafted subject to the concurrence of the Department of Legislative Services in terms of both electronic format to be used and data to be included. The scope of the reports is as follows:

- (1) Chesapeake Bay restoration operating and capital expenditures by agency, fund type, and particular fund source based on programs that have over 50% of their activities directly related to Chesapeake Bay restoration for the fiscal 2011 actual, fiscal 2012 working appropriation, and fiscal 2013 allowance, which is to be included as an appendix in the fiscal 2013 budget volumes and submitted electronically in disaggregated form to DLS; and
- (2) a plan for tracking two-year milestone funding for the January 1, 2012, through December 31, 2013 time period, including a discussion of how funding responsibility will be allocated and tracked in the Phase II portion of the Watershed Implementation Plan development.

Explanation: This language expresses intent that DBM and DNR continue to provide information on (1) overall Chesapeake Bay restoration spending; and (2) a plan for tracking funding for the next two-year milestone at the time of the fiscal 2013 budget submission.

**Section 46 Revenues in the Strategic Energy Investment Fund**

SECTION 46. AND BE IT FURTHER ENACTED, That the Department of Budget and Management shall provide an annual report on the Strategic Energy Investment Fund (SEIF) to the General Assembly in conjunction with submission of the fiscal 2013 budget and annually thereafter as an appendix to the Governor’s budget books. This report shall include information for the actual fiscal 2011 budget, fiscal 2012 working appropriation, and fiscal 2013 allowance. The report shall detail revenue assumptions used to calculate the available SEIF for each fiscal year including:

- (1) the number of auctions;
- (2) the number of allowances sold;
- (3) the allowance price for both the current and future control period allowances sold in each auction; and
- (4) alternative compliance payments.

The report shall also include detail on the amount of SEIF available to each agency that receives funding through each required allocation:

- (1) energy assistance;
- (2) energy efficiency and conservation programs, low- and moderate-income sector;
- (3) energy efficiency and conservation programs, all other sectors;
- (4) renewable and clean energy programs and initiatives, education, and climate change programs;
- (5) administrative expenditures; and
- (6) dues owed to the Regional Greenhouse Gas Initiative, Inc.

**Section 47 Additional Position Abolitions**

SECTION 47. AND BE IT FURTHER ENACTED, That the Governor shall abolish 450 regular full-time equivalent positions from the Executive Branch during fiscal 2012, and funding for salaries and fringe benefits shall be reduced by \$17,338,699 in general funds. Provided, however, that the amount of this reduction may be reduced on a dollar for dollar basis to reflect the abolition of special funded positions and associated reductions which shall be credited to the General Fund as provided for in HB 72 or SB 87. Further provided that the abolitions shall occur on or before January 1, 2012, and an accounting of the abolished positions shall be noted in Appendix E of the fiscal 2013 budget submission. Priority shall be given to the abolition of positions that have been vacant for longer than one year as of July 1, 2011, or that are vacated by the current incumbent before January 1, 2012.

**Section 49 Electricity Savings**

SECTION 49. AND BE IT FURTHER ENACTED, That on or before July 1, 2011, the Governor shall develop a schedule to allocate a reduction of \$5,000,000 for electricity (comptroller subobject 0620) across all Executive Branch agencies. The reduction shall be allocated according to the following fund types:

<u>Fund</u>	<u>Amount</u>
General	\$2,023,449
Special	\$2,976,551

Explanation: Provided that it is the intent of the General Assembly to encourage the implementation of energy conservation efforts such as facility upgrades, renewable energy, and the development of a statewide electricity purchasing strategy. This action reduces

statewide funding allocated for electricity within Executive Branch agencies by \$5 million, or 6.8%, in general and special funds. The Governor shall develop a schedule that allocates these reductions across Executive Branch agencies by July 1, 2011.

**Section 50 Report on Construction-related Permits**

SECTION 50. AND BE IT FURTHER ENACTED, That \$100,000 in general funds appropriated for the purpose of general operating expenses in the Maryland Department of the Environment (MDE) and the Department of Natural Resources (DNR), and \$100,000 in special funds appropriated for the purpose of general operating expenses in the Maryland Department of Transportation – State Highway Administration (SHA), may not be expended until MDE, DNR, and SHA submit a report to the budget committees providing calendar 2011 information on the following:

- (1) the number of construction-related permits requested by the public and governmental entities and issued by each agency;
- (2) the percentage of each type of permit issued within 30 days of permit applications; and
- (3) the percentage of each type of permit issued within published standard turn-around times.

The report shall be submitted by January 15, 2012, and the budget committees shall have 45 days to review and comment. Funds restricted pending the receipt of a report may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund or be canceled if the report is not submitted to the budget committees.

## CAPITAL BUDGET HIGHLIGHTS

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The Department of Natural Resources' fiscal year 2012 capital budget appropriation totals \$59.1 million, including general obligation (GO) bonds, pay-as-you-go (PAYGO) funds, and federal funds, a decrease of \$78 million from 2011 levels. PAYGO cash transferred to the general fund was mostly replaced with some form of bonding in both the capital budget and through the BRFA.<sup>1</sup> The legislature GO bond funded:

- \$2.5 million for Community Parks and Playgrounds;
- \$4,515,000 for the Rural Legacy Program (reflects prior year replacement funding);
- \$3,450,000 for the Natural Resources Development Fund<sup>2</sup>;
- \$3,380,000 for the Critical Maintenance Program<sup>3</sup>;
- \$1,045,000 for the Dam Rehabilitation Program<sup>4</sup>; and
- \$1,000,000 for oyster habitat restoration projects.

Program Open Space was funded with \$28,459,000 in GO bonds, \$1.5 million in PAYGO special funds, and \$3,000,000 in federal funds. Of this, \$1.9 million is for the Baltimore City Direct Grant. Local-side funding reflects \$23.6 million of the GO bond authorization, of which \$16.7 million replaces prior year funds transferred to the general fund and \$6.9 million as part of the first year of a planned three-year replacement of fiscal 2012 transfer tax funding directed to the general fund.

The Ocean City Beach Replenishment Fund was funded with \$1,000,000 in GO bonds and \$1 million in federal funds. The Waterway Improvement Fund was funded with \$7,347,000 in GO bonds, \$410,000 in PAYGO special funds, and \$500,000 million in federal funds.

The capital budget included the following pre-authorizations subject to change in future legislative sessions which, with the exception of Tubman, reflect replacement funding from prior years transfers to the general fund:

- \$2,850,000 for the Harriet Tubman Underground Railroad State Park;
- \$39,230,000 in 2013 and \$6,947,000 in 2014 for local-side Program Open Space;
- \$7,193,000 in 2013 and \$7,193,000 in 2014 for stateside Program Open Space; and
- \$4,589,000 in 2013 and \$4,589,000 in 2014 for Rural Legacy.

The capital budget also authorized:

- \$1,650,000 for the Harriet Tubman Underground Railroad State Park's visitor center in Dorchester County;
- \$500,000 for repairs to Daniels Dam in Baltimore County; and
- \$375,000 to replace the docks and bulkhead, and dredge Dundee Creek Marina in Baltimore County.

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<sup>1</sup> Exhibit A-2.13 on page A-68 of [The 90-Day Report](#) shows how the fiscal 2012 transfer tax and GO bond replacement is distributed across all operating and capital programs.

<sup>2</sup> Of the total, \$3.2 million replaces prior year funding and \$0.3 million reflects fiscal 2012 replacement funding.

<sup>3</sup> Of the total, \$3.0 million is fiscal 2012 replacement funding and \$0.4 million is prior year replacement funding.

<sup>4</sup> Of the total, \$0.5 million reflects prior year replacement funding and \$0.5 million is fiscal 2012 replacement funding.

Pertinent excerpts from the [Joint Chairmen’s Report](#) are included below.

**K – DEPARTMENT OF NATURAL RESOURCES**

KA05B        **Rural Legacy Program** ..... \$ 4,515,000

This action deletes the \$5,000,000 general obligation bond authorization mandated in statute (Natural Resources Article § 5-9A-09) and the \$4,589,000 in fiscal 2012 replacement funding. The remaining portion of the authorization consists of \$4,515,000 in prior year replacement funding.

<u>Allowance</u>	<u>Change</u>	<u>Authorization</u>
\$14,104,000	- \$9,589,000	\$4,515,000

KA17A        **Oyster Habitat Restoration Projects**..... \$ 1,000,000

This language adds new funds for the design and construction of oyster habitat restoration projects.

## ADMINISTRATION ENVIRONMENTAL BILLS

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**[Senate Bill 176](#) / [House Bill 167](#) (Maryland Electric Vehicle Infrastructure Council)**

establishes the Maryland Electric Vehicle Infrastructure Council and requires the Council to submit an interim report on or before January 1, 2012, and a final report on or before December 1, 2012. The Act takes effect July 1, 2011 and terminates at the end of June 30, 2013.

**[Senate Bill 179](#) / [House Bill 164](#) (Electric Companies - Pilot Program for Charging Electric Vehicles)** requires the Public Service Commission to establish a pilot program for charging electric vehicles by June 30, 2013; authorizes an electric company to request to participate in the pilot program; requires the pilot program to include incentives for residential, commercial, and governmental customers to recharge electric vehicles in ways that will accomplish specified goals; requires the Commission to report to the Governor and the General Assembly on the program by February 1, 2015. The Act takes effect July 1, 2011.

**[Senate Bill 380](#) / [House Bill 860](#) (Electricity - Net Energy Metering)** defines that an eligible customer-generator may accrue net excess generation for a period not to exceed 12 months and requires an electric companies to carry forward net excess generation until a consumption eliminates the net excess generation or the accrual period expires. The Act calculates the dollar value of a net excess generation as equal to the generation rate charge by the electric company for the previous month. The Act also repeals a requirement that the generation credit appear on the eligible customer- generator's bill in a dollar amount. The Act takes effect June 1, 2011.

**[Senate Bill 692](#) / [House Bill 391](#) (Maryland Electricity Service Quality and Reliability Act - Safety Violations)** requires the Public Service Commission to adopt regulations by July 1, 2012, implementing service quality and reliability standards for the delivery of electricity to retail customers by electric companies. The regulations must include standards relating to service interruptions, downed wire response, customer communications, vegetation management, periodic equipment inspections, and annual reliability reporting. The legislation also requires the PSC to take corrective action, including imposition of civil penalties, against electric companies that fail to meet any or all of the applicable service quality and reliability standards. As an emergency measure the Act took effect upon the Governor's signature on May 10, 2011.

**[Senate Bill 717](#) / [House Bill 933](#) (Renewable Energy Portfolio Standard - Renewable Energy Credits - Solar Water Heating Systems)** establish solar water heating systems as a Tier 1 renewable source eligible to meet the Tier 1 solar portion of Maryland's Renewable Energy Portfolio Standard. An owner of a solar water heating system installed on or after June 1, 2011, may receive solar renewable energy credits equal to the amount of electricity saved by using a solar water heating system. The Act takes effect January 1, 2012.

**[Senate Bill 847](#) / [House Bill 1053](#) (Natural Resources - Aquaculture)** transfer aquaculture, seafood, and related marketing functions from the Maryland Department of Agriculture, the Board of Public Works, and the Maryland Department of the Environment to the Department of Natural Resources. The legislation establishes the Department of Natural Resources as the lead State agency for: coordinating and streamlining the process of applying for a State aquaculture permit; promoting, coordinating, and marketing aquaculture and aquaculture products; and enforcing aquaculture related laws, regulations, and rules. The State Aquaculture Coordinator must be employed by DNR

and the Aquaculture Review Board's membership is altered. The Acts authorize the Department of Natural Resources to issue water column leases. The legislation also directs the University of Maryland to serve as the lead agency for aquaculture production research and to develop education and extension programs promoting the aquaculture industry. The Act takes effect July 1, 2011.

**Senate Bill 849 / House Bill 1025 (State Government - Land Acquisitions and Transfers of Property)** consolidate State land acquisition and planning functions related to open space, recreation, and conservation to operate within the Department of Natural Resources. Authority to negotiate State POS land acquisitions is transferred from the Department of General Services to DNR. Responsibility for preparation of the State's Land Preservation, Parks, and Recreation Plan is transferred from the Maryland Department of Planning to DNR. The legislation also exempts transfers of property within the Executive Branch of the State government from independent appraisal requirements. The Acts take effect July 1, 2011.

**House Bill 163 (Income Tax - Tax Credit for Electric Vehicle Recharging Equipment)** allows a State income tax credit for tax years 2011, 2012, and 2013 only, for 20% of the cost of qualified electric vehicle recharging equipment placed in service by a taxpayer during a taxable year; provides for administration of the tax credit by the Maryland Energy Administration; limits the credit to taxpayers receiving initial tax credits from the Administration; limiting the tax credit to \$400 for each individual recharging system. The Act takes effect July 1, 2011.

## DNR DEPARTMENTAL BILLS

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**Senate Bill 80 (Tree Expert License - Application and Renewal)** authorizes the Department of Natural Resources to set the tree expert license fees, application procedure, and renewal timetable by regulation. The fees may not exceed the cost of processing the license application or renewal. The Act also repeals the annual renewal requirement for tree expert licenses. The Act takes effect October 1, 2011 and sunsets on September 30, 2016.

**Senate Bill 414 / House Bill 396 (Natural Resources - Administrative Procedures - Electronic Citations, Inspections, and Hearings)** authorizes the Department of Natural Resources to issue electronic citations and conduct administrative inspections of commercial fishing vessels and certain fish businesses. An inspector may seize fishing gear and fish found during an inspection that is used or possessed in connection with a violation. Upon conviction the property seized may be destroyed or disposed of by the Department. The Act also replaces the requirement of a hearing prior to suspending or revoking a fishing license with a requirement to provide notice of the right to a hearing. The Act takes effect July 1, 2011.

**Senate Bill 720 (Commercial Fishing Apprenticeship Permit - Eligibility)** allows individuals applying for a commercial fishing license through the apprenticeship program to use their past commercial fishing experience from another jurisdiction to fulfill the requirements for a Maryland commercial fishing license. The Act requires an apprenticeship permittee to obtain the required practical experience within 10 years before applying for a commercial fishing license or authorization. The Act takes effect June 1, 2011.

**House Bill 111 (Department of Natural Resources - Fishing - Regulatory Authority)** authorizes the Department of Natural Resources to adopt regulations, in consultation with the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission, governing the manner, methods, and gear for catching and possessing fish in State waters. These regulations may define and govern recreational fishing gear and commercial fish pots, bank traps, fyke nets, and hoop nets. The Act takes effect July 1, 2011.

**House Bill 208 (Aquaculture - Shellfish Leasing Areas – Expansion)** authorizes the Department of Natural Resources to amend existing charts or coordinates by regulation to make any natural oyster bar location or submerged land condition accurate. The legislation allows aquaculture enterprise zones (AEZs) and submerged land leases in sanctuaries, so long as they are at least 150 feet away from an oyster reserve or any “Yates Bar”, effectuating an estimated 20% increase in leasable acreage in the bay. A “Yates Bar” is any submerged oyster bar, reef, rock, or area represented as an oyster bar on the charts of the Oyster Survey of 1906 to 1912, excluding amendments. AEZs and submerged land leases located within an oyster sanctuary must be compatible with oyster restoration and regulations adopted by the Department. Corporations may only obtain an aquaculture or submerged land lease if they are organized under State laws and more than 50% of the corporation’s stock is owned by Maryland residents. Riparian owners must obtain a submerged land lease before cultivating shellfish. The Act takes effect July 1, 2011.

## ENVIRONMENTAL LEGISLATION

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[Senate Bill 115](#) / [House Bill 227](#) (**Criminal Law - Animal Abuse, Neglect, or Cruelty - Conditions of Probation**) authorizes a court, as a condition of probation for violations concerning animal abuse, neglect, or cruelty, to prohibit the defendant from owning, possessing, or residing with an animal. The Act takes effect October 1, 2011.

[Senate Bill 159](#) / [House Bill 273](#) (**Natural Resources - Oyster Poaching - Hearing**) requires the Department of Natural Resources to revoke a commercial license if the licensee is found by an Administrative Law Judge to have knowingly: harvested oysters located more than 200 feet within a closed or prohibited area; used prohibited oyster gear; harvested oysters outside of the allowed time by more than one hour; harvested oysters during closed season; or taken oysters illegally from a leased area. The Act requires the Department to revoke the license through a contested case hearing process with the Office of Administrative Hearings within 60 days after issuing the citation. The Act takes effect October 1, 2011.

[Senate Bill 188](#) (**Recreational Fishing Licenses - Exemption**) authorizes the Department of Natural Resources to issue a letter of authorization for the calendar year to government entities or nonprofit organizations taking disabled members of the armed forces and veterans fishing and requires an annual report from those organizations on the fishing trips. The Act takes effect June 1, 2011.

[Senate Bill 271](#) / [House Bill 275](#) (**Public Utilities - Net Energy Metering - Hydroelectric**) alters the definition of customer-generators eligible for net energy metering to include closed conduit hydroelectric generating facilities that are owned or operated by a municipal corporation or public water authority. The Act takes effect October 1, 2011.

[Senate Bill 320](#) / [House Bill 53](#) (**Environment - Phosphorus - Commercial Dishwashing Detergent**) prohibits a person from using, selling, manufacturing, or distributing for use or sale commercial dishwashing detergents that contain greater than 0.5 percent of phosphorus by weight after July 1, 2013, which is a six month extension from existing law.

[Senate Bill 368](#) / [House Bill 292](#) (**Hart-Miller-Pleasure Island Citizens Oversight Committee – Duties**) alters the duties of the Hart-Miller-Pleasure Island Citizens Oversight Committee to require the Committee to monitor and provide oversight for future development, use, and maintenance of the Hart-Miller-Pleasure Island chain and water quality surrounding the islands. The Act takes effect October 1, 2011.

[Senate Bill 372](#) / [House Bill 347](#) (**Environment - Nitrogen Removal Technology - Evaluation and Ranking**) requires the Department of the Environment to evaluate and rank all best available nitrogen removal technologies for on-site sewage disposal systems to advise local governments and residents of the State of approved technologies that qualify for funding under the Bay Restoration Fund. MDE must also request updated information from the vendors of such technologies every two years.

**Senate Bill 398 / House Bill 502 (Sales and Use Tax - Sale of Electricity Generated by Solar Energy and Residential Wind Energy Equipment - Exemption)** exempts the sale of electricity generated by solar energy equipment or residential wind energy equipment for use in residential property owned by an eligible customer-generator from the State sales and use tax, effective July 1, 2011.

**Senate Bill 421 (Program Open Space - Attainment of Acquisition Goals - Increased Allocation for Local Government)** increases the maximum percentage (from 75% to 100%) of POS funds that a local government may spend on development projects once it has attained its acreage acquisition goals and repeals a five-year limit on the period of time during which the POS funds may be used for such projects. Counties that qualify to use funds for development projects must use 25% of the funds only for land acquisition, repair or renovation of existing recreational facilities or structures, or capital renewal. The Act takes effect June 1, 2011 and terminates at the end of May 31, 2014.

**Senate Bill 468 / House Bill 625 (Carroll County - Deer Hunting on Private Property – Sundays)** allows deer hunting in Carroll County on private property with a bow and arrow or crossbow on the last three Sundays in October and the second Sunday in November; and at the Department of Natural Resources' discretion, during the first Sunday of both the bow hunting season in November and the deer firearms season.

**Senate Bill 487 / House Bill 573 (Fertilizer Use Act of 2011)** establish fertilizer content and application requirements and restrictions, which take effect October 1, 2013, that further limit the amount of phosphorus and nitrogen that may be included in fertilizer labeled or offered for sale for use on turf or applied to turf. The Acts establish labeling requirements for specialty fertilizer used on turf, lawns, and golf courses. Among other information, labels must direct users to not apply the fertilizer near water, storm drains or drainage ditches, nor apply if rain is expected, and ensure that it only falls onto lawns. Fertilizers with higher nutrient contents must contain labels stating that they are not for use on lawns. The Department of Agriculture is required, in consultation with the University of Maryland, to establish: a professional fertilizer applicator certification program; maximum limits for nitrogen and phosphorus in fertilizer; and a public education program. The legislation prohibits a person from: selling specified fertilizers; applying fertilizer on un-approved surfaces or as a deicer or within 10 or 15 feet of waterways (depending on application method); and applying fertilizer containing nitrogen or phosphorus to turf before March 1 or after November 15 annually. By October of 2013, the Department of Agriculture must require annually reporting on the retail sale of fertilizers. Provisions of the Acts have varying effective dates - October 1, 2011, 2012, and 2013.

**Senate Bill 513 (Maryland Estate Tax - Payment Deferral for Qualified Agricultural Property - Extension of Payment Deferral)** authorizes the Comptroller to grant an extension of a deferred estate tax payment on agricultural property with a pending application to place land under a permanent land conservation easement. The Act takes effect October 1, 2011 and applies to decedents of property owners who passed away after December 31, 2010. The original law (Senate Bill 396 of the 2010 legislative session) sunsets on June 30, 2014.

**Senate Bill 539 / House Bill 57 (Environment - Bay Restoration Fund - Authorized Uses)** authorize the use of Bay Restoration Fund monies to provide limited grants and loans for

connecting properties served by a septic system to existing municipal wastewater facilities with enhanced nutrient removal technology. The Acts take effect October 1, 2011.

**[Senate Bill 635 / House Bill 1154](#) (**Natural Resources - Authorization to Catch Striped Bass and Crabs - Revocation**) requires the Department of Natural Resources to revoke an individual's commercial fishing authorization to catch striped bass or crabs if they are found by an Administrative Law Judge to have knowingly committed an egregious or repeat violation including: using illegal gear; harvesting during closed seasons; harvesting from a closed area; violating established harvest, catch, or size limits; or violating tagging and reporting requirements. The Department, in consultation with the Tidal Fisheries Advisory Commission and the Sport Fisheries Advisory Commission, must adopt regulations by January 1, 2012 that establish grounds for revoking an authorization if an individual receives a citation. The Department must hold a hearing before revoking the authorization. An individual whose authorization to catch striped bass or crabs is revoked may not engage or work in the striped bass or crab fishery, whether or not it requires the use of another license. The Act takes effect July 1, 2011.**

**[Senate Bill 655 / House Bill 1225](#) (**Natural Resources - Commercial Fishing Violations - Enhanced Penalties**) establish a new misdemeanor charge for individuals who violate commercial fishing law without possessing an active (not suspended) commercial fishing license. Upon conviction a violator is subject to imprisonment not exceeding one year and a fine not exceeding \$25,000, with costs imposed in the discretion of the court. Fines imposed by the District Court for violations must be paid, less the costs of collection, to the Department of Natural Resources' Fisheries Research and Development Fund. The Acts take effect October 1, 2011.**

**[Senate Bill 690 / House Bill 1121](#) (**Renewable Energy Portfolio - Waste-to-Energy**) expands the definition of a Tier 1 renewable source to include waste-to-energy; which was formally included under Tier 2 renewable sources, and provides that waste-to-energy is eligible for inclusion in meeting the renewable energy portfolio standard only if the source is connected with the distribution grid serving Maryland. The bill provides a significant monetary incentive, in the form of Tier 1 renewable energy credits, to the owners of existing waste-to-energy facilities, future planned waste-to-energy and refuse-derived fuel facilities. The Act takes effect October 1, 2011.**

**[Senate Bill 691 / House Bill 590](#) (**Public Service Commission - Certificate of Public Convenience and Necessity - Renewable Source Generator Lead Line**) require a certificate of public convenience and necessity prior to beginning construction of an overhead transmission line that is designed to carry a voltage in excess of 69,000 volts and would allow an out-of-state Tier 1 or Tier 2 renewable source to interconnect with a portion of the electric system in Maryland that is owned by an electric company. As an emergency measure, the Acts took effect upon the Governor's signature on April 12, 2011.**

**[Senate Bill 751](#) (**Environment - Dishwashing Detergent Containing Phosphorus - Penalties**) increases the fine to \$1000 for knowingly selling or distributing for use or sale within the State household dishwashing detergents that contain more than 0.5 percent phosphorous by weight, and up to \$25,000 for a second offense. The Act takes effect October 1, 2011.**

**[Senate Bill 763](#) (**Hunting Licenses - Exemption for Disabled Armed Forces Members**) authorizes a person, who is serving in the U.S. armed forces, has a service-connected disability, and possesses valid military identification while hunting, to hunt without a hunter's license, bow**

and arrow stamp, black powder stamp, or bonus antlered deer stamp on public property. The Act takes effect October 1, 2011.

**Senate Bill 958 (Maryland Clean Energy Incentive Act - Qualified Energy Resources)** expands the energy resources eligible for the Maryland clean energy incentive tax credit, by allowing any nonhazardous waste material that is segregated from other waste materials to qualify as a qualified energy resource, effective July 1, 2011.

**House Bill 313 (Natural Resources - Woodland Incentives Fund - Renaming)** renames the Woodland Incentives Fund to the Mel Noland Woodland Incentives Fund and clarifies that the fund may receive Chesapeake and Atlantic Coastal Bays 2010 Trust Funds. The Act takes effect October 1, 2011.

**House Bill 355 (Natural Resources - Hunting - Junior Deer Hunt)** requires the Department of Natural Resources to establish a junior deer hunt on a consecutive Saturday and Sunday during a deer hunting season via regulation, by July 1 annually. A junior deer hunt may not occur on a Sunday in a county that does not authorize deer hunting on that Sunday. Individuals may participate in the junior deer hunt if they: are 16 years of age or younger; possess a valid hunting license or are exempt from license requirements; and are accompanied by a person who is at least 21 years old, possesses a valid hunting license or is exempt from licensure, and is not in possession of a hunting weapon during the hunt. The Act authorizes junior deer hunt participants to use a firearm to hunt deer on the days of the hunt. The Act takes effect June 1, 2011.

**House Bill 497 (Natural Resources - Somers Cove Marina Commission - Procurement)** authorizes the Somers Cove Marina Commission's Executive Director to procure capital improvement, design, and maintenance projects. Goods, services, and capital improvement, design, and maintenance projects with an expected value of \$5,000 to \$200,000 are subject to the commission's existing procurement procedures, but those exceeding \$200,000 in value are subject to State procurement law and regulations. The Act takes effect July 1, 2011.

**House Bill 602 (Environment - Recycling at Transit Stations - Study)** requires the Maryland Transit Administration and the State Department of Transportation, in consultation with the Washington Metropolitan Area Transit Authority, to jointly study and make recommendations relating to the establishment of a recycling program at transit stations by December 1, 2011.

**House Bill 643 (Procurement - State Buildings - Energy Efficient Outdoor Lighting Fixtures)** prohibits State funds from being used to install or replace a permanent outdoor luminaire on the grounds of any building or facility owned or leased by the State unless the fixture: maximizes energy conservation and minimize light pollution, glare, and light trespass; provides the minimum illumination necessary for the intended purpose of the lighting; is a restricted upright luminaire if it has an output of more than 1,800 lumens. The Board of Public Works may waive the requirements of the Act. The Act takes effect October 1, 2011.

**House Bill 831 (Agriculture - Invasive Plants - Prevention and Control)** establishes an Invasive Plants Advisory Committee within the Department of Agriculture. The Secretary of Natural Resources serves as an ex-officio member of the committee and provides consultation to the Secretary of Agriculture on appointees to the committee. The Secretary of Agriculture must adopt regulations by October 1, 2012, which, among other things, establish a science-based risk

assessment protocol for invasive plants on which to base the establishment of tier 1 and tier 2 plant lists. By October 1, 2013, the Secretary must adopt additional regulations to establish tier 1 and tier 2 plant lists. The Act prohibits the propagation, importation, sale, purchase, transportation, and introduction of any living part of a tier 1 invasive plant. The Act prohibits retail sales of tier 2 invasive plants unless the seller posts signage identifying the plants as invasive. The Secretary of Agriculture must take certain actions: if invasive plants are not disposed of properly; to require the issuance of stop sale orders of certain invasive plants; and to impose civil penalties for violations. The Act takes effect October 1, 2011.

**House Bill 877 (Sustainable Communities, Designated Neighborhoods, and Priority Funding Areas - Miscellaneous Corrections)** replaces obsolete references to "designated neighborhoods" with references to "sustainable communities" and excludes designated neighborhoods from consideration as priority funding areas under specified provisions of law. The Act provides that designated neighborhoods that were designated as priority funding areas on or before January 1, 2010 shall retain the designation. The Act takes effect June 1, 2011.

**House Bill 890 (Land Preservation - Land Draining to a Reservoir)** requires that consideration be given to conserving land that drains into a reservoir when local governments prioritize applications for Maryland Agricultural Land Preservation Program easements and the Secretary of Natural Resources allocates State Program Open Space funds. The Act takes effect October 1, 2011.

**House Bill 966 (Natural Resources - Restricted Waters for Shellfish Harvesting - Testing)** requires the Department of the Environment, in determining whether to restrict or lift any restrictions on an area for the catching or storing of shellfish, to use the most reliable available tests to determine whether a shellfish production area poses a risk to consumer health and to rule out contaminants that do not pose a risk to consumer health, including bacteria from vegetation. The Act also requires the Department, on or before December 31, 2011, to reconsider the designation of restricted waters, beginning with existing or pending shellfish lease areas. The Act takes effect June 1, 2011.

**House Bill 972 (Building Codes - International Green Construction Code)** authorizes the Department of Housing and Community Development to adopt by regulation the International Green Construction Code and authorizes local jurisdictions to adopt and make local amendments to the International Green Construction Code. The Act takes effect October 1, 2011.

**House Bill 1240 (Counties - Natural Resources - Authorization to Harvest Seafood and Engage in the Seafood Industry)** expands to all counties the authority to adopt an ordinance, resolution, or regulation or take any other action considered necessary to authorize a person to engage in activities related to the seafood industry. The Act takes effect October 1, 2011.

**House Bill 1252 (Natural Resources - Large-Scale Striped Bass Poaching - Penalties)** establishes a new misdemeanor charge for capturing more than \$20,000 worth of striped bass, as determined by the proceeds of the unlawful capture, as a result of using unlawful gear, harvesting during closed seasons, harvesting from a closed area, violating established harvest, catch, or size limits, or violating tagging and reporting requirements. On conviction of the misdemeanor charge, in addition to other applicable penalties, a person is also subject to no more than two years of imprisonment. The Act takes effect June 1, 2011.

## STATE & LOCAL BILLS

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[Senate Bill 14 / House Bill 130](#) (**Vehicle Laws - Race-Based Traffic Stops**) requires law enforcement officers to record information, including the race or ethnicity of the drivers of motor vehicles stopped, and report that to the Maryland Statistical Analysis Center. Each law enforcement agency must adopt a policy against race-based traffic stops, strip searches, and body cavity searches. The Act takes effect July 1, 2011 and terminates on June 30, 2014.

[Senate Bill 66](#) (**Criminal Procedure - Criminal Justice Information System Central Repository - Reportable Events**) repeals the requirement that the release of a person after arrest without the filing of a charge be reported to the Criminal Justice Information System Central Repository, effective October 1, 2011.

[Senate Bill 120 / House Bill 456](#) (**Procurement - Minority Business Participation**) extend the State's Minority Business Enterprise program for one year, until July 1, 2012 and repeals the requirement that procurement procedures seek to award 7 percent and 10 percent of a unit's total dollar value of contracts to African-American-owned and women-owned businesses respectively. The Act clarifies the goal that 25 percent of a unit's total dollar value of procurement contracts be made to certified minority business enterprises.

[Senate Bill 512](#) (**Gaming - Video Lottery Terminals**) prohibits the Video Lottery Facility Location Commission from awarding a video lottery operation license in Rocky Gap in Allegany County unless an applicant agrees to purchase the Rocky Gap Lodge and Resort. The purchase of the lodge may be counted toward the applicant's direct investment requirement of \$25 million for each 500 VLT's proposed. The bill increases the Allegany County video lottery operation licensee's share of the proceeds to 50% for the first 10 years of operations and reduces all other revenue distributions, except for the State Lottery Agency, for the same time period. The bill also repeals the requirement that VLTs be permanently located in a separate facility from the lodge. However, if VLTs are permanently located in the lodge and current meeting space is displaced, the licensee must provide for meeting space that is accessible from the lodge within three years.

[Senate Bill 558](#) (**Minority Business Enterprise Program - Amendments to MBE Participation Schedule and Extension of Task Force**) requires a bidder or offeror to notify the unit of State government within 72 hours if, after submission of a bid or proposal and before the execution of a specified contract, a certified minority business enterprise identified in the MBE participation schedule has become or will become unavailable or is ineligible to perform the work required under the contract. The participation schedule may be amended only with the approval of the unit's procurement officer after consultation with the unit's MBE liaison. As an emergency measure the Act takes effect upon the Governor's signature, expected in May of 2011.

[Senate Bill 652 / House Bill 507](#) (**Public Safety - Use of Electronic Control Devices - Reports**) require a law enforcement agency that issues electronic control devices (ECDs) to its law enforcement officers to report annually on or before March 31 to the Governor's Office of Crime Control and Prevention information for each time a law enforcement officer discharges an ECD. The Acts take effect October 1, 2011 and terminate on September 30, 2016.

**Senate Bill 740 / House Bill 37 (State Government - Access to Public Records - Electronic Documents)** requires that public records be provided in a searchable and analyzable electronic format if the record exists in that format upon the request of an electronic copy, effective October 1, 2011.

**Senate Bill 799 / House Bill 727 (State Retirement and Pension System - Retirees and Beneficiaries of Retirees - Annual Retirement Allowance Adjustments)** permanently preclude the annual retirement allowance adjustments (COLAs) for retirees of the State Retirement and Pension System from being less than zero. In years in which COLAs would be less than zero due to deflation, retirees and beneficiaries do not receive a COLA, but COLAs in succeeding years are adjusted until the difference between the negative COLA that would have applied and the zero COLA is fully recovered. The Acts take effect July 1, 2011.

**House Bill 12 (Procurement - Employee Uniforms and Equipment - Place of Manufacture)** prohibits a public employer from knowingly buying, furnishing, or requiring an employee to buy or acquire for use while on duty uniforms and other equipment unless the uniforms or equipment are manufactured in the United States unless: either the item is not manufactured or available for purchase in the United States, or is not manufactured or available in reasonable quantities; the price of the item manufactured in the United States exceeds the price of a similar item manufactured overseas by an unreasonable amount; or the quality of the item manufactured in the United States is substantially less than the quality of a similar item not manufactured in the United States. The Act requires the Board of Public Works to adopt regulations defining reasonably available, unreasonable amount, and substantially less. The Act takes effect October 1, 2011.

**House Bill 22 (Courts - Attorneys - Subpoena Procedures and Forms for Circuit Courts)** authorizes an attorney or other officer of the court entitled to the issuance of a subpoena by a clerk of a court to obtain from the clerk of the court a subpoena that is signed and sealed by the clerk of court. The attorney or other officer of the court may photocopy and use the subpoena for service. The Act takes effect June 1, 2011.

**House Bill 215 (State Emergency Medical Services Board - Emergency Medical Services Providers)** exempts law enforcement officers from requirements relating to providing emergency medical services in the State and prohibits the use of the term "emergency medical responder" unless the individual is licensed or certified to provide emergency medical services. The Act takes effect July 1, 2011.

## ITEMS REQUIRING DNR ACTION

Below are statutory and reporting requirements as a result of enacted legislation or the budget committees' narrative in the Joint Chairman's Report (JCR). Following the listing of required action items from the 2011 legislative session are instructions for submission of reports.

### BOATING SERVICES

Action Item: Report on options for raising vessel excise tax revenues, the possibility of operating budget expenditure reductions, and a prioritization plan for the use of available funding from the Waterway Improvement Program for capital improvements.

Reference: JCR Operating Budget Committee Narrative, page 55 (page 8 of this report)

Due Date: September 1, 2011

### FISHERIES SERVICE

#### [Senate Bill 159](#) / [House Bill 273](#) **Natural Resources - Oyster Poaching – Hearing**

Action Item: Update existing commercial fishing license penalty system regulations.

Due Date: October 1, 2011

#### [Senate Bill 635](#) / [House Bill 1154](#) **Natural Resources - Authorization to Catch Striped Bass and Crabs - Revocation**

Action Item: Adopt regulations establishing the grounds for revoking striped bass and blue crabs commercial fishing authorizations.

Due Date: January 1, 2012

#### [Senate Bill 847](#) / [House Bill 1053](#) **(Natural Resources - Aquaculture)**

Action Item: Adopt regulations to implement.

Staff: Maryland Fisheries Service

Due Date: July 1, 2011

#### [House Bill 208](#) **(Aquaculture - Shellfish Leasing Areas – Expansion)**

Action Item: Adopt regulations outlining criteria for leasing in sanctuaries.

Staff: Maryland Fisheries Service

Due Date: Anytime after July 1, 2011

### FOREST SERVICE

#### [Senate Bill 80](#) **Tree Expert License - Application and Renewal**

Action Item: Propose regulations outlining the application and renewal procedure, timeline, and fees for tree expert licenses.

Due Date: October 1, 2011

## **LAND ACQUISITION & PLANNING**

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### **[Senate Bill 849](#) / [House Bill 1025](#) (State Government - Land Acquisitions and Transfers of Property)**

Action Item: In consultation with the Department of General Services, adopt regulations to implement that include a system for appraisal review.

Due Date: July 1, 2011

Action Item: Include the value of natural gas in the mineral rights valuation for determination of Rural Legacy easement purchase prices.

Reference: JCR Operating Budget Committee Narrative, page 54 (page 8 of this report)

Due Date: Applies July 1, 2011 through June 30, 2012

## **NATURAL RESOURCES POLICE**

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### **[Senate Bill 14](#) / [House Bill 130](#) (Vehicle Laws - Race-Based Traffic Stops)**

Action Item: Report to the Maryland Statistical Analysis Center information, including the race or ethnicity of the drivers of motor vehicles stopped. Adopt a policy against race-based traffic stops, strip searches, and body cavity searches.

Due Date: Annually beginning in 2011 through 2014.

### **[Senate Bill 652](#) / [House Bill 507](#) Public Safety - Use of Electronic Control Devices – Reports**

Action Item: Annually report to the Governor's Office of Crime Control and Prevention information about each time an officer discharges an electric control device.

Due Date: March 31, 2012 and annually through 2016

## **OFFICE OF THE SECRETARY**

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Action Item: Report on the number of construction related permits requested and issued in 2011.

Reference: JCR Operating Budget Committee Narrative, page 199 (page 18 of this report)

Due Date: January 15, 2012

## **WATERSHED SERVICES**

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Action Item: In collaboration with the Department of Budget & Management, report on Chesapeake Bay restoration expenditures by agency and a plan for tracking two-year milestone funding, including how funding responsibility will be allocated and tracked in the Phase II portion of the Watershed Implementation Plan development.

Reference: JCR Operating Budget Committee Narrative, page 195 (page 16 of this report)

Due Date: Fiscal 2013 budget submission and annually thereafter

## **WILDLIFE SERVICE**

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### **[House Bill 355](#) (Natural Resources - Hunting - Junior Deer Hunt)**

Action Item: Adopt regulations establishing a junior deer hunt weekend.

Due Date: Anytime after June 1, 2011

## **INSTRUCTIONS FOR RESPONDING TO REPORT REQUIREMENTS**

If the deadlines outlined below are for some reason unable to be met for a statutory or JCR report requirement, the assigned DNR unit must notify DNR's Legislative Director and their Assistant Secretary as soon as possible.

**Internal DNR Review:** Final draft reports must be submitted to the appropriate DNR Assistant Secretary and DNR's Legislative Director, Olivia Campbell Andersen no later than 3.5 weeks prior to the report's statutory due date. DNR's Legislative Director will then submit the final draft report to the Secretary and Deputy Secretary for final internal approval.

**DBM and Governor's Legislative Office Initial Review:** As has been the administrative policy for many years, both the Department of Budget and Management and the Governor's Legislative Office must have an opportunity to review these reports prior to submission to the General Assembly or external distribution to stakeholders or other interested persons. To assure appropriate review, DNR's Legislative Director will submit your draft report at least ten working days before the report is due to the GLO and the appropriate DBM budget analyst.

### **Budget Committees and DLS Submission:**

**Restricted Appropriations:** Where all or a portion of an appropriation is restricted, approval to release restricted funds should be requested from the budget committees, with a copy sent to the agency's budget analyst at the Department of Legislative Services (Andrew Gray). Each request should include a cover letter addressed to the budget committee chairs and should identify the agency, the amount restricted, the fund source, and should specifically note that the release of restricted funds is being requested.

**Submission Procedures:** All agency reports and studies submitted in response to committee narrative or budget bill language will be submitted by DNR's Legislative Assistant, Eileen Mosley, in electronic form (pdf only) and hard copy.

- The naming for each item should include the session year of the JCR, the page in the JCR in which the item appears, an agency abbreviation, and the title of the report (2011\_p95\_DNR\_Dredging Report). Electronic copies will be sent via email to [Cathy.Kramer@mlis.state.md.us](mailto:Cathy.Kramer@mlis.state.md.us). Electronic documents should be submitted in PDF format and compatible with Adobe Acrobat 8. If files to be emailed are larger than 10 MB, they cannot be sent via email. David Juppe ([David.Juppe@mlis.state.md.us](mailto:David.Juppe@mlis.state.md.us)) will provide instructions for posting large files on the DLS FTP site.
- Per Section 2-1246 of the State Government Article, five hard copies should be mailed to the legislative library:  
Sarah Albert  
DLS Library and Information Services  
90 State Circle  
Annapolis, Md. 21401-1991

**Requesting an Extension:** If a time extension for any item is needed, please notify DNR's Legislative Director, Olivia Campbell Andersen as soon as possible so that the Department can send correspondence indicating why an extension is needed (and the anticipated submission date) to the Governor's Legislative Office, appropriate committee chairmen, Cathy Kramer, and the DLS analyst.

## **FAILED BILLS**

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The legislation listed below failed to pass during the 2011 session of the Maryland General Assembly. These bills were either not given consideration by their assigned committee, received an unfavorable committee report, were not passed on the Senate or House floor, or were withdrawn by the sponsor. Failed bills are listed by order of Senate bill numbers and corresponding House crossfiles first, and then by House bill numbers.

- [SJ 3](#)            **Commission to Rename Mountains in the State**  
Senate – Unfavorable Education Health and Environmental Affairs
- [HJ 8](#)            **Commission to Rename Mountains in the State**  
House – First Reader House Rules and Executive Nominations
- [SB 6](#)            **Optional Retirement Program – State and Participating Governmental Unit Employees – Participation**  
Senate – First Reading Budget & Taxation
- [SB 25](#)           **Dorchester County - Land Acquisition - Approval Required**  
Senate – Unfavorable Education Health and Environmental Affairs
- [HB 950](#)          **Dorchester County - Land Acquisition - Approval Required**  
House – Withdrawn Environmental Matters
- [SB 45](#)           **Natural Resources - Deer Hunting - Sundays**  
Senate – Unfavorable Education Health and Environmental Affairs
- [HB 129](#)          **Natural Resources - Deer Hunting - Sundays**  
First Reading Environmental Matters
- [SB 65](#)           **Courts - Natural Resources Violations - Jurisdiction**  
Senate – Recommit to Judicial Proceedings
- [SB 111](#)          **Environment - Recycling - Apartment Buildings and Condominiums**  
Senate – Unfavorable Education Health and Environmental Affairs
- [HB 179](#)          **Environment - Recycling - Apartment Buildings and Condominiums**  
Senate – Unfavorable Education Health and Environmental Affairs
- [SB 129](#)          **Task Force to Study the Development of Wetland Teaching Projects at Secondary Schools**  
Senate – First Reader Education Health and Environmental Affairs
- [HB 232](#)          **Task Force to Study the Development of Wetland Teaching Projects at Secondary Schools**  
House – First Reader Ways & Means
- [SB 131](#)          **Maryland Water Quality Revolving Loan Fund - Loan Forgiveness**  
Senate – Unfavorable Education Health and Environmental Affairs

- [SB 153](#) **Reorganization of State Government - Consolidating the Department of the Environment into the Department of Natural Resources**  
Senate – Unfavorable Education Health and Environmental Affairs
- [SB 160](#) **Environment - On-Site Sewage Disposal Systems - Nitrogen Removal**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 177](#) **Environment - On-Site Sewage Disposal Systems - Nitrogen Removal**  
House – First Reading Environmental Matters
- [SB 162](#) **Firearms - Detachable Magazines - Maximum Capacity for Ammunition**  
Senate – First Reading Judicial Proceedings
- [SB 198](#) **Stormwater Management - Regulations - Applicability**  
Senate – Unfavorable Education Health and Environmental Affairs
- [SB 213](#) **Anne Arundel County - Drug-Free Zones Pilot Program - Public Parks and Recreation Areas**  
Senate – Unfavorable Judicial Proceedings
- [HB 1332](#) **Anne Arundel County - Drug-Free Zones Pilot Program - Public Parks and Recreation Areas**  
House – Unfavorable Judiciary
- [SB 215](#) **Baltimore City Community Enhancement Transit-Oriented Development Fund**  
House – First Reading Economic Matters & Environmental Matters
- [HB 1349](#) **Baltimore City Community Enhancement Transit-Oriented Development Fund**  
House – First Reading Economic Matters & Environmental Matters
- [SB 223](#) **Environment - Marine Contractor Services - Boat Lifts**  
Senate – Unfavorable Education Health and Environmental Affairs
- [SB 241](#) **Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 628](#) **Commission to Study Streamlining and Increasing the Efficiency of the Procurement Process**  
House – Withdrawn House Health and Government Operations
- [SB 247](#) **Criminal Procedure - Seizure and Forfeiture - Property Used in Human Trafficking**  
House – First Reading Judiciary
- [HB 418](#) **Criminal Procedure - Seizure and Forfeiture - Property Used in Human Trafficking**  
House – First Reading Judiciary
- [SB 252](#) **Garrett County - County Commissioners - Commercial Wind Turbines**  
Senate – First Reading Finance
- [HB 116](#) **Garrett County - County Commissioners - Commercial Wind Turbines**  
House – Unfavorable Economic Matters

- [SB 261](#)      **Real Property - Commercial Buildings – Disclosures**  
Senate – First Reading Judicial Proceedings
- [HB 718](#)      **Real Property - Commercial Buildings - Disclosures**  
House – First Reading Environmental Matters
- [SB 304](#)      **Renewable Energy Surcharge - Retail Residential Electric Customers**  
Senate – Unfavorable Finance
- [SB 314](#)      **Public Utility Companies - Generating Stations - Wind**  
Senate – First Reading Finance
- [SB 332](#)      **Gas Companies - Infrastructure Replacement - Surcharge**  
Senate – Withdrawn Finance
- [HB 856](#)      **Gas Companies - Infrastructure Replacement - Surcharge**  
House – Withdrawn Economic Matters
- [SB 341](#)      **Gas Companies and Electric Companies - Service Quality and Reliability Standards**  
Senate – Unfavorable Finance
- [SB 387](#)      **High Performance Buildings Act - Applicability to Recipients of State Aid**  
Senate – Unfavorable Budget and Taxation
- [HB 910](#)      **High Performance Buildings Act - Applicability to Recipients of State Aid**  
House – Withdrawn Health and Government Operations
- [SB 390](#)      **State Government - E-Verify Program**  
Senate – Unfavorable Education Health and Environmental Affairs
- [HB 761](#)      **State Government - E-Verify Program**  
House – Unfavorable Health and Government Operations
- [SB 399](#)      **Maryland Green Fuel Initiative - Motor Fuel Taxes - Biodiesel**  
Senate – Withdrawn Budget and Taxation
- [HB 844](#)      **Maryland Green Fuel Initiative - Motor Fuel Taxes - Biodiesel**  
House – Withdrawn Ways and Means
- [SB 404](#)      **Environment - Sewage Sludge - Requirements**  
Senate – Unfavorable Education Health and Environmental Affairs
- [HB 946](#)      **Environment - Sewage Sludge - Requirements**  
House – Unfavorable Environmental Matters
- [SB 407](#)      **Sewage Sludge Utilization Permits - Chesapeake and Atlantic Coastal Bays  
Critical Area - Judicial Review**  
Senate – Unfavorable Education Health and Environmental Affairs
- [SB 411](#)      **Financial Crimes - Seizure and Forfeiture of Property**  
House – First Reading Judiciary
- [HB 1316](#)      **Financial Crimes - Seizure and Forfeiture of Property**  
House – First Reading Judiciary

- [SB 417](#)      **Agriculture - Commercial Feed - Arsenic Prohibition**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 754](#)      **Agriculture - Commercial Feed - Arsenic Prohibition**  
House – Unfavorable Environmental Matters
- [SB 420](#)      **Hunting and Recreational Fishing Licenses - Issuance by Agent - Service Charge**  
Senate – Unfavorable Education Health and Environmental Affairs
- [HB 1042](#)      **Hunting and Recreational Fishing Licenses - Issuance by Agent - Service Charge**  
House – Unfavorable Environmental Matters
- [SB 422](#)      **Natural Gas Exploration and Production - Marcellus Shale Formation**  
Senate – Unfavorable Education Health and Environmental Affairs
- [HB 411](#)      **Natural Gas Exploration and Production - Marcellus Shale Formation**  
House – Unfavorable Environmental Matters
- [SB 442](#)      **Maryland Environmental Trust - Easements - Local Approval**  
Senate – Unfavorable Education Health and Environmental Affairs
- [SB 448](#)      **State Personnel - Applicants for Employment - Criminal History Records Checks**  
Senate – Unfavorable Finance
- [HB 920](#)      **State Personnel - Applicants for Employment - Criminal History Records Checks**  
House – First Reading Appropriations
- [SB 459](#)      **Public Service Commission - Electric and Gas Consumers**  
Senate – Unfavorable Finance
- [SB 460](#)      **Nuclear Power Transparency Act of 2011**  
Senate – Unfavorable Finance
- [SB 491](#)      **Horse Racing - Bowie Race Course Training Center - Ownership Transfer**  
House – Recommit Ways and Means
- [HB 557](#)      **Horse Racing - Bowie Race Course Training Center - Ownership Transfer**  
House – First Reading Ways and Means
- [SB 497](#)      **Vehicle Laws - Registration Classifications - Class G Farm or Livestock  
Trailer or Semitrailer**  
House – First Reading Environmental Matters
- [SB 520](#)      **Transportation - Chesapeake Bay Bridge Crossing - Environmental Impact  
Study for a Third Span**  
Senate – First Reading Finance
- [SB 521](#)      **Electricity Market - Goal of the State - Best Possible Price for Ratepayers  
Through Reregulation**  
Senate – Unfavorable Finance

- [SB 538](#) **Natural Resources - Oyster Sanctuaries – Designation**  
House – First Reading Environmental Matters
- [HB 1340](#) **Natural Resources - Oysters - Sanctuaries and Poaching**  
House – First Reading Environmental Matters
- [SB 544](#) **Chesapeake Bay Nitrogen Reduction Act of 2011**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 687](#) **Chesapeake Bay Nitrogen Reduction Act of 2011**  
House – Unfavorable Environmental Matters
- [SB 546](#) **Chesapeake Bay Phosphorus Reduction Act of 2011**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 706](#) **Chesapeake Bay Phosphorus Reduction Act of 2011**  
House – Unfavorable Environmental Matters
- [SB 552](#) **Environment - Local Stormwater Charges - State Property**  
Withdrawn – Education Health and Environmental Affairs
- [HB 668](#) **Environment - Local Stormwater Charges - State Property**  
Withdrawn – Environmental Matters
- [SB 555](#) **Minority Business Enterprise Participation - Disclosure and Termination Extension**  
Senate – First Reading Education Health and Environmental Affairs
- [SB 582](#) **Agriculture - Pesticides - Regulation of Atrazine Study**  
Senate – Withdrawn Education Health and Environmental Affairs
- [HB 659](#) **Agriculture - Pesticides - Regulation of Atrazine Study**  
House – Unfavorable Environmental Matters
- [SB 596](#) **State Government - Human Relations - Discrimination in Housing, Employment, and Places of Public Accommodation**  
Senate – First Reading Judicial Proceedings
- [HB 580](#) **State Government - Human Relations - Discrimination in Housing, Employment, and Places of Public Accommodation**  
House – Withdrawn Health and Government Operations
- [SB 602](#) **Clean the Streams and Beautify the Bay Act of 2011**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 1034](#) **Clean the Streams and Beautify the Bay Act of 2011**  
House – First Reading Environmental Matters
- [SB 611](#) **Minority Business Enterprise Participation - Contracts, Debarment, and Termination Extension**  
Senate – Withdrawn Education Health and Environmental Affairs
- [HB 194](#) **Minority Business Enterprise Participation - Contracts, Debarment, and Termination Extension**  
House – Withdrawn Health and Government Operations

- [SB 612](#) **Minority Business Participation - The Ray Haysbert Waiver Disclosure and Termination Extension Act**  
Senate – Withdrawn Education Health and Environmental Affairs
- [HB 143](#) **Minority Business Participation - The Ray Haysbert Waiver Disclosure and Termination Extension Act**  
House – Withdrawn Health and Government Operations
- [SB 622](#) **Nonresidential Electricity and Gas - Energy Benchmarking and Disclosure - State Buildings**  
Senate – Unfavorable Finance
- [SB 628](#) **State Health and Retirement Benefits - Public Employees and Retirees**  
Senate – First Reading Budget and Taxation
- [SB 631](#) **Budget - Reductions of Appropriations**  
Senate – First Reading Budget and Taxation
- [SB 632](#) **State Budget**  
Senate – First Reading Budget and Taxation
- [SB 633](#) **Gaming - Video Lottery Terminals - Repeal of Constitutional Amendment - Changes to Statutory Provisions**  
Senate – First Reading Budget and Taxation
- [HB 384](#) **Gaming - Video Lottery Terminals - Repeal of Constitutional Amendment - Changes to Statutory Provisions**  
House – Unfavorable Ways and Means
- [SB 634](#) **Marcellus Shale Safe Drilling Act of 2011**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 852](#) **Marcellus Shale Safe Drilling Act of 2011**  
Senate – First Reading Education Health and Environmental Affairs
- [SB 642](#) **Human Relations - Discrimination by a Place of Public Accommodation - Study of Enforcement and Remedies**  
Senate – Recommit Judicial Proceedings
- [HB 285](#) **Human Relations - Discrimination by a Place of Public Accommodation - Enforcement and Remedies**  
Senate – First Reading Judicial Proceedings
- [SB 646](#) **Economic Development - Green Business Incentive Zones**  
Senate – First Reading Budget and Taxation
- [HB 795](#) **Economic Development - Green Business Incentive Zones**  
House – First Reading Ways and Means
- [SB 648](#) **Renewable Energy Surcharge - Retail Electric Customers**  
Senate – Unfavorable Finance
- [HB 662](#) **Renewable Energy Surcharge - Retail Electric Customers**  
House – Unfavorable Economic Matters

- [SB 699](#) **State Law Enforcement Officers - Collective Bargaining - Certain Police Employees**  
House – First Reading Appropriations
- [HB 673](#) **State Law Enforcement Officers - Collective Bargaining - Certain Police Employees**  
House – First Reading Appropriations
- [SB 715](#) **Public Service Commission - Long-Term Contracts - Solar Renewable Energy Credits**  
Senate – Unfavorable Finance
- [HB 1123](#) **Public Service Commission - Long-Term Contracts - Solar Renewable Energy Credits**  
House – Unfavorable Economic Matters
- [SB 734](#) **Public Service Commission - Electric Companies - Long-Range Plans**  
Senate – Unfavorable Finance
- [SB 735](#) **State Retirement and Pension System - Optional Retirement Program - New Employees**  
Senate – First Reading Budget and Taxation
- [SB 749](#) **Electric Companies - Electrical Service Restoration Plan**  
Senate – Withdrawn Finance
- [HB 1171](#) **Electric Companies - Electrical Service Restoration Plan**  
House – Withdrawn Economic Matters
- [SB 752](#) **Environment - Permitting Process - Environmental Justice Review**  
Senate – First Reading Education Health and Environmental Affairs
- [SB 764](#) **Estate Tax - Exclusion of Qualified Agricultural Property**  
Senate – First Reading Budget and Taxation
- [HB 721](#) **Estate Tax - Exclusion of Qualified Agricultural Property**  
House – First Reading Ways and Means
- [SB 766](#) **Snowstorm and Related Climate Change Preparation Act**  
Senate – First Reading Education Health and Environmental Affairs
- [SB 783](#) **Estate Tax - Qualified Agricultural Property - Forest Banking Operations**  
Senate – First Reading Budget and Taxation
- [SB 785](#) **Agriculture - Pesticides - Use, Release, Sale, and Purchase Reporting**  
Senate – Withdrawn Education Health and Environmental Affairs
- [HB 660](#) **Agriculture - Pesticides - Use, Release, Sale, and Purchase Reporting**  
Senate – Unfavorable Education Health and Environmental Affairs
- [SB 791](#) **Education - Open Space on Public School Property - Planting and Maintaining Gardens**  
Senate – Unfavorable Education Health and Environmental Affairs
- [HB 528](#) **Education - Open Space on Public School Property - Planting and Maintaining Gardens**  
Senate – Unfavorable Education Health and Environmental Affairs

- [SB 804](#)      **Electric Companies - Extended Service Disruptions - Penalties and Ratepayer Compensation**  
Senate – Unfavorable Finance
- [SB 807](#)      **State Procurement - Employment of Unauthorized Aliens and the Federal E-Verify Program**  
Senate – Unfavorable Education Health and Environmental Affairs
- [SB 827](#)      **Environment - Severn River Watershed - Silt and Erosion Control - Certification**  
House – Unfavorable Environmental Matters
- [HB 415](#)      **Environment - Severn River Watershed - Silt and Erosion Control - Certification**  
House – Withdrawn Environmental Matters
- [SB 846](#)      **Sustainable Growth and Agricultural Preservation Act of 2011**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 1107](#)      **Sustainable Growth and Agricultural Preservation Act of 2011**  
House – First Reading Environmental Matters
- [SB 861](#)      **Maryland Offshore Wind Energy Act**  
Senate – First Reading Finance
- [HB 1054](#)      **Maryland Offshore Wind Energy Act**  
Senate – First Reading Economic Matters
- [SB 863](#)      **Environment - Exemption from Noise Restrictions - Marinas and Boatyards**  
Senate – Withdrawn Education Health and Environmental Affairs
- [HB 1215](#)      **Environment - Exemption from Noise Restrictions - Marinas and Boatyards**  
House – Withdrawn Environmental Matters
- [SB 873](#)      **Private Property Rights - Regulatory Infringement - Compensation**  
Senate – First Reading Judicial Proceedings
- [SB 881](#)      **Economic Development Opportunities Program Account - Wind Turbine Manufacturing Facility**  
Senate – First Reading Finance
- [HB 1227](#)      **Economic Development Opportunities Program Account - Wind Turbine Manufacturing Facility**  
House – Withdrawn Economic Matters
- [SB 904](#)      **Natural Resources - Certificate of Competency in Firearms & Hunter Safety - Exception**  
Senate – Withdrawn Education Health and Environmental Affairs
- [HB 1231](#)      **Natural Resources - Certificate of Competency in Firearms & Hunter Safety - Exception**  
House – Withdrawn Environmental Matters
- [SB 937](#)      **Natural Resources Police Force - Number of Officers**  
House – First Reading Environmental Matters & Appropriations

- [SB 964](#)      **Renewable Energy - Poultry Litter - Net Energy Metering and Renewable Energy Portfolio Standard**  
Senate – First Reading Finance
- [SB 990](#)      **Swimming Pools - Automated External Defibrillator Programs**  
Senate – First Reading Rules
- [HB 9](#)        **Regulated Firearms - License Issued by Delaware, Pennsylvania, or Virginia - Reciprocity**  
House – First Reading Judiciary
- [HB 24](#)      **Agriculture - Sewage Sludge - Timing of Winter Application**  
Senate – Unfavorable Education Health and Environmental Affairs
- [HB 45](#)      **Criminal Law - Interception of Oral Communications - Law Enforcement**  
House – Withdrawn Judiciary
- [HB 47](#)      **State Government - Open Meetings Act - Online Training**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 113](#)     **Public Officials - Chauffeured Transportation Services**  
House – Unfavorable Health and Government Operations
- [HB 223](#)     **State Government - Commemorative Days - Earth Hour**  
House – Unfavorable Health and Government Operations
- [HB 276](#)     **Public Safety - Enforcement of Federal Immigration Law by Law Enforcement Agencies**  
House – Unfavorable Judiciary
- [HB 278](#)     **Chesapeake and Atlantic Coastal Bays Critical Area - Prospective Land Purchases - Inspections**  
House – Unfavorable Environmental Matters
- [HB 301](#)     **Natural Resources - Suspension of Hunting Licenses and Privileges**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 330](#)     **Firearms - Detachable Magazines - Maximum Capacity for Ammunition**  
House – Unfavorable Judiciary
- [HB 341](#)     **Environment - At-Store Recycling - Plastic Carryout Bags**  
House – First Reading Environmental Matters
- [HB 344](#)     **Criminal Law - Electronic Control Devices - Restrictions on Possession and Use**  
House – Unfavorable Judiciary

- [HB 370](#)      **Stormwater Management - Watershed Management Plans - Technical Assistance**  
House – Unfavorable Environmental Matters
- [HB 371](#)      **Department of the Environment - Stormwater Management Ordinance - Cost Study**  
House – Unfavorable Environmental Matters
- [HB 374](#)      **Maryland Green Purchasing Committee - Recycling Study - Polystyrene Foam**  
House – Withdrawn Health and Government Operations
- [HB 389](#)      **Recycling - Bars and Restaurants - Beverage Containers**  
House – Withdrawn Environmental Matters
- [HB 425](#)      **Environment - Use of Coal Combustion By-Products for Reclamation - Bond Requirements**  
House – Withdrawn Environmental Matters
- [HB 428](#)      **Environment - Coal Combustion By-Products - Permits**  
House – Withdrawn Environmental Matters
- [HB 449](#)      **State Government - Regulations Affecting Small Businesses and Economic Impact Analysis**  
House – Unfavorable Health and Government Operations
- [HB 473](#)      **Environment - Landfills and Incinerators - Disposal of Waste**  
House – Withdrawn Environmental Matters
- [HB 494](#)      **State Retirement and Pension System - Vesting and Eligibility**  
House – Withdrawn Appropriations
- [HB 512](#)      **High Performance Homes - Rebate Program**  
House – Unfavorable Environmental Matters
- [HB 532](#)      **Bay Restoration Fund - Fee Exemption**  
House – Withdrawn Environmental Matters
- [HB 538](#)      **Montgomery County - Stormwater Charges - County and Municipal Property MC 21-11**  
House – Withdrawn Environmental Matters
- [HB 540](#)      **Montgomery County - Leghold or Body-Gripping Traps - Prohibition MC 8-11**  
House – First Reading Environmental Matters
- [HB 563](#)      **Electronic Control Devices - Permit Process and Requirements**  
House – Withdrawn Judiciary
- [HB 565](#)      **Gaming - Video Lottery Terminals**  
House – First Reading Ways and Means

- [HB 599](#) **Courts and Judicial Proceedings - Use of Tracking Device by Law Enforcement Officer - Court Order**  
House – Unfavorable Judiciary
- [HB 603](#) **Maryland Energy Administration - Clean Energy Loan Payment Program**  
House – Unfavorable Economic Matters
- [HB 640](#) **Task Force to Study Required Deposits on Returnable Beverage Containers**  
House – Withdrawn Environmental Matters
- [HB 642](#) **State Emblems - State Lighthouse - Millers Island Lighthouse**  
House – Unfavorable Health and Government Operations
- [HB 650](#) **County Boards of Education - Green Product Cleaning Supplies - Written Policies**  
House – First Reading Ways and Means
- [HB 658](#) **Public Service Commission - Sustainable Energy Utilities**  
House – Unfavorable Economic Matters
- [HB 743](#) **Labor and Employment - Labor Organizations - Right to Work**  
House – Unfavorable Economic Matters
- [HB 744](#) **Citizens Rights Act**  
House – Unfavorable Judiciary
- [HB 747](#) **State Government - Equal Access to Public Services - Individuals with Limited English Proficiency - Report**  
House – Withdrawn Health and Government Operations
- [HB 760](#) **State Procurement - Use of Federal E-Verify Program to Prevent Employment of Unauthorized Alien Workers**  
House – Unfavorable Health and Government Operations
- [HB 761](#) **State Government - E-Verify Program**  
House – Unfavorable Health and Government Operations
- [HB 829](#) **Renewable Energy for All Act**  
House – First Reading Economic Matters
- [HB 833](#) **Harford County - Archery Hunting - Safety Zone**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 893](#) **Environment - Portable Floating Docks - Exemptions**  
House – Withdrawn Environmental Matters
- [HB 896](#) **Criminal Procedure - Inquiry into Immigration Status of Crime Victim or Witness - Prohibition**  
House – Unfavorable Judiciary

- [HB 903](#)      **Task Force on Green Chemistry**  
House – Withdrawn Economic Matters
- [HB 906](#)      **Marilyn J. Praisner Safe and Earth-Friendly Roadway Act**  
House – Unfavorable Environmental Matters
- [HB 918](#)      **Repeal of Tax Credit for Purchase of Maryland-Mined Coal**  
House – Unfavorable Ways and Means
- [HB 948](#)      **Land Use - State Rail Station Overlay Districts**  
House – Unfavorable Environmental Matters
- [HB 994](#)      **Harford County - Deer Hunting on Private Property - Sundays**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 1064](#)      **Watershed Protection and Restoration Act**  
House – First Reading Environmental Matters
- [HB 1078](#)      **State Government - Expressive Activity on State Property - Regulations**  
House – Withdrawn Health and Government Operations
- [HB 1142](#)      **Natural Resources - Atlantic Menhaden - Restrictions on Products from Reduction**  
House – First Reading Environmental Matters
- [HB 1173](#)      **Motor Vehicles - Seatbelts - Exception for Law Enforcement Officers**  
House – Withdrawn Environmental Matters
- [HB 1224](#)      **Natural Resources - Forest Conservation Act - Alterations to Exceptions**  
House – First Reading Environmental Matters
- [HB 1236](#)      **Law Enforcement Officers - Racial Profiling - Prohibited**  
House – Withdrawn Judiciary
- [HB 1238](#)      **Department of Natural Resources - Tracking Device on Vessel - Prohibition Without Court Order**  
House – First Reading Environmental Matters
- [HB 1241](#)      **Natural Resources - Rural Legacy Area - Prohibited Uses**  
House – First Reading Environmental Matters
- [HB 1244](#)      **Patuxent River - Oysters - Use of Patent Tongs**  
House – First Reading Environmental Matters
- [HB 1249](#)      **Public Oyster Fishery - South River - Hand Tonging**  
House – Unfavorable Environmental Matters

- [HB 1259](#)      **Chesapeake and Atlantic Coastal Bays Critical Area - Prohibition - Junk and Scrap Metal Facilities**  
Senate – First Reading Education Health and Environmental Affairs
- [HB 1266](#)      **Environment - Construction on Piers - Exception for Solar Panels**  
House – First Reading Environmental Matters
- [HB 1284](#)      **Cecil County - Deer Hunting on Private Property - Sundays**  
House – First Reading House Rules and Executive Nominations
- [HB 1325](#)      **Privileged Communications - Critical Incident Stress Management and Peer Support**  
House – Withdrawn Judiciary