



# REPORT FROM STATE CIRCLE 2011



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## BUDGET

**HB 70**, the Budget Bill and **HB 72** the Budget Reconciliation and Financing Act of 2011 (BRFA), passed the House on March 24. The vote on HB 70 was 97-42 and on BRFA was 96-42. The Governor’s budget proposals were reduced by \$708 million including \$97 in general fund reductions. A total of 674 state employees’ positions were eliminated. The bill reduces the state structural deficit by 40% and maintains the Governor’s proposal to eliminate state employee furloughs and grant a one time bonus of \$750 to state employees.

Public education funding was increased by \$58.5 over the Governor’s proposal which would have provided level funding from the current year to next year. The increase allows for level funding *per student* instead. State higher education institutions and community colleges, on the other hand, will receive level funding. This is supposed to allow tuitions to be held to a 3% increase. Medical assistance was reduced \$34 million from the governor’s proposal but Medicaid funding will still increase by about \$790 million. The bill also requires the Department of Public Safety and Correctional Services, Division of Corrections to submit a plan for reducing the state’s inmate population to allow one facility to be closed.

The House passed BRFA which deals with many amendments to the Governor’s proposal. Probably most significantly, the House made changes to the Governor’s public employee benefit proposals. The contributions of state employees would increase from 5% to 7% while the multiplier and cost of living adjustments for current and former employees are capped at 3% if the Pension System maintains its assumed rate of return and 1% if it is not. Modifications were made to future state aid to community colleges reducing from 20% per full time

student equivalent currently to 18.5% in FY 2013 and FY 2014. The percentage would increase in future years. Similarly state aid for nonprofit private institutions would increase more slowly than provided in current law. Significant changes were also made to the state retiree prescription drug plan increasing co-pays, increasing the out of pocket cap from \$700 to \$1000 per year and increasing the percentage of the premium paid by the retiree from 20% to 25%.

Highway User Revenues to counties and municipalities would increase \$13.2 mill in FY 2012 and the bill requires that before any Transportation Trust Funds can be diverted to the general fund, a schedule of repayment over 5 years be established. This does not apply to Highway User Revenues provided to local governments much of which have been diverted to the general fund in recent years.

Several fees were increased including: the land record surcharge from \$20 to \$40, motor vehicle certificate of title from \$50 to \$100, vanity tag fee from \$25 to \$50, birth certificate fee from \$12 to \$24 and file search fee from \$10 to \$20.

The Senate is expected to debate the vote on the budget bills during this coming week.

*Barbara Hankins*

## REVENUES

**SB994** (Jones-Rodwell & Madeleno) is another approach to the alcohol tax. Instead of increasing the alcoholic beverages tax, this bill would increase the sales tax on alcoholic beverages from 6% to 7% in FY 2012, to 8% in FY 2013 and to 9% in FY 2014. The revenues from the rate increase would be deposited in the General Fund. The bill was heard in B&T on March 23.

**HB620** (Frick) the Tax Credit Evaluation Act supported by the League has passed the House on third reading and moves to the Senate.

**HB 10** which would make appropriations subject to petition referendum received an unfavorable vote in APP. **HB 465** which would have reduced the sales tax rate from 6% to 5% received an unfavorable vote in W&M as did **SB 800** which would have affected the way expenses are allocated within the corporate income tax. **SB 654** which would have increased the tobacco tax received an unfavorable vote in B&T. **HB 855** which would have reduced the corporate income tax rate has been withdrawn.

*Barbara Hankins*

## MARRIAGE EQUALITY

The effort to pass **SB 116/HB 175 Civil Marriage Protection Act** came to an end on Friday, March 11<sup>th</sup> when debate ended in the House without a vote. It was moved back into committee which effectively killed it for the 2011 session. Speaker Busch's action to move the bill back to committee saved delegates from registering their vote on the bill. Trouble began in the House Judiciary Committee when a vote was delayed. Then some of the 59 co-sponsors withdrew their support and it became evident that there were not enough votes for passage. Advocates for both sides lobbied intensely. According to the *Baltimore Sun* (March 13, 2011) on the day before House debate, Brian Brown, president of the National Organization for Marriage, pledged \$1 million to help defeat any Republican who supported same sex marriage and to assist any Democrats who opposed it. Supporters may have underestimated the influence that African-American churches had on their parishioners to contact their delegates to oppose the bill.

*Sherry Hyman*

## CAMPAIGN FINANCE

Status of bills since RSC # 4:

The House of Delegates has passed two bills that are priorities of the League:

**HB 93** (cross-filed with SB 592), which would require that independent expenditures be subject to disclosure was amended by W&M and passed the House of Delegates by a vote of 97-41. The amendments should make the bill more enforceable because they clarify the definition of "independent expenditures" as uncoordinated expenditures which expressly advocate the success or defeat of a clearly identified candidate or ballot issue. HB 93 now goes to the Senate EHEA for consideration.

**HJ 7** (cross-filed with SB 4) would create a study commission to review campaign financing laws, including the efficacy of public funding of campaigns. It was passed by a House vote of 108-31. This sends a strong signal that no action will be taken on HB 159/SB 657 which call for pilot tests of publicly funding campaigns. The HJ is now in EHEA for further action.

All other bills are still in committee.

*Kay Terry*

## ELECTIONS

**HB 787 – Permanent Absentee Ballot List**, sponsored by Delegate Kramer and 11 others, would have established a permanent absentee ballot list and allowed any voter to apply for permanent absentee ballot status and be placed on the permanent absentee ballot list. The bill has been amended and is now named the **Subsequent Election Absentee Ballot List**. As amended, the bill requires the State Board of Elections to establish guidelines for a subsequent election absentee ballot list and requires that a voter who receives an absentee ballot be provided the opportunity to request an absentee ballot for the next subsequent election. If a voter requests an absentee ballot for a subsequent election, the voters name is placed on the subsequent election absentee ballot list. This bill passed third reading in House 101-36 and the cross-filed SB 409 was heard in the Senate 3/3.

**HB 671 - Federal Military and Overseas Voter Empowerment (MOVE) Act Compliance**, sponsored by the Speaker at the request of the Administration, changes the date of the primary election in gubernatorial election years to the last Tuesday in June and the primary election in presidential election years to the first Tuesday in April. The bill also changes dates for candidacy filings and requires the State Board of Election to post the arrangement of the certified ballot on their website. HB 671 passed the House 139-0. The cross-filed SB 820 was heard in the Senate EHEA Committee on March 16<sup>th</sup>.

**HB 101 Election Law – Petitions and Ballot Issues – Prohibited Actions**, sponsored by Delegates Rosenberg and six others, prohibits a person from willfully and knowingly obtaining or attempting to obtain a signature on a petition by fraud, duress, force, (current law), or THREAT, MENACE, OR INTIMIDATION; prohibiting a person from willfully and knowingly preventing, hindering, or delaying another person from signing a petition by the same means. The bill passed the House 89-50 and was heard by the Senate EHEA Committee on March 24<sup>th</sup>.

**HB 348 - Election Law - Citizens Who Have Not Lived in the United States - Right to Vote**, sponsored by Delegate Cardin, establishes that a citizen of the United States born abroad who has never lived in the United States, but who has a parent who is a registered voter in the State, is considered a resident of the State for purposes of qualifying to register to vote, provided the individual has not established a domicile outside the State. Such an individual may register to vote and vote only in elections for federal office in the county where a parent resides, provided the individual is not registered to vote in another state and is otherwise qualified. This bill has passed the House 99-37 and has had a first reading in the Senate EHEA Committee.

*Lu Pierson*

## DEATH PENALTY

Absent a miracle, efforts to repeal the Maryland Death Penalty are going nowhere this year. In the House, **HB 1075** was heard March 15 by the Judiciary Committee with no report. (LWVMD submitted testimony in favor of repeal.) The late-filed, cross-filed Senate Bill, **SB 837**, had a first hearing in Senate Rules, but there has been no action since. Similarly, **HB 1074** which deals with those who should attend executions, should they ever resume, was heard by Judiciary March 15 with no report, and the late-filed, cross-filed **SB 857** is also hung up in Senate Rules.

**HB 1040**, the so-called “Personhood Amendment”, which would tie capital punishment to abortion by eliminating both, received an unfavorable report from the Health and Government Operations Committee. LWVMD opposed this bill.

*Marcia Reinke*

## MANDATORY MINIMUM SENTENCING

The Judiciary Committee has still failed to issue any report on **HB 353**, which would repeal mandatory minimum sentencing for certain drug-related crimes, and allow for more drug treatment programs. The bill was heard February 22.

*Marcia Reinke*

## GUNS

With the possible exception of a bill creating a task force to study gun licenses and mental health, it’s unlikely that much weapons legislation will emerge from the General Assembly this year. **HB 730**, now entitled **Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms**, passed on Third Reading 95-42, and is scheduled for hearing in the Senate’s Judicial Proceedings committee March 31 at 1 p.m. Filed in response to the shootings in Tucson, the bill was originally entitled **Public Safety – Regulated Firearms – Mental Health Disorder** and would have limited or prohibited gun licenses to anyone treated within the previous five years for a mental disorder as defined in the American Psychiatric Association’s “Diagnostic and Statistical Manual – Mental Disorders.” The amendment to rename and set up a task force was made by the Judiciary Committee before the bill was sent to the House floor.

Other Tucson-related bills concerning the maximum capacity for ammunition in detachable magazines, **HB 330** and **HB 1108** both received unfavorable reports from the Judiciary Committee. Cross-filed **SB 162** was heard by Judicial Proceedings February 10, with no report.

Bills filed again this year, resulting from the shootings at Virginia Tech as well as Tucson, are either killed or stalled. **HB 803**, which would have prohibited handguns at institutions of higher learning or at hospitals has received an unfavorable report from the Judiciary Committee. Similar in intent but confined to colleges is **SB 311, Weapons Free Higher Education Zones**, was heard by Judicial Proceedings February 8 with no report.

Among the bills filed by the Baltimore City delegation aimed at reducing gun crimes in the City, **SB 173** still survives. Aimed at reducing the numbers of days which can be cut from a sentence for a gun-related crime, it has received a favorable report from Judicial Proceedings. The cross-filed **HB 172** was heard by Judiciary March 8 with no report.

There is still no report following a January 25 Judiciary hearing on **HB 9**, which would allow firearms licensing reciprocity with Delaware, Virginia and Pennsylvania.

*Marcia Reinke*

## EDUCATION

An interesting unexpected 'message' education bill has been filed in the waning weeks of the 2011 session. **HB 1352 - Local School Boards - Authority to Impose a Property Tax**, which has been filed by Delegate Hixson and five other members of the Ways and Means Committee, would authorize local school boards to levy a property tax to provide funding for school operations and expenses. The tax would be imposed as is the county property tax and would require the county government to reduce its property tax rate to lower the revenue from the property tax by the amount budgeted for the school board the previous fiscal year. The school board could also issue bonds for capital expenditures. (Hrg in W&M on 3/30)

This is not the first time that an attempt has been made by the state legislature to make local school boards in Maryland fiscally independent. In the late 90s, bills were filed that would have permitted elected school boards in Maryland to raise taxes and become fiscally responsible for their school system. Nationwide school boards in two-thirds of our states have some degree of fiscal autonomy. In eleven of the remaining states, all school boards are fiscally dependent on local government, as is the case in Maryland.

Several bills have passed their respective house. **SB 609 - Charter School Sites and Buildings** (RSC 3) has been amended to require that the county council or county commissioners must be notified when a school board decides a school building or site is no longer needed for school purposes. Within 30 days the county government must tell the school board whether or not it needs the building or site for economic development. If it is not needed, then the school board may tell the public charter school of its availability and the original bill's procedure would be followed. On the House side, in **HB 1067 - Public Charter Schools - Policies and Regulations** (RSC 3) the provision for a de novo appeal to the State Board of Education by a charter school applicant denied by the local school board has been dropped. The current appeal process remains in effect.

**HB 202 - Discrimination Prohibited - Protected Classes** (RSC 2) has been amended to cover all public school personnel, not just teachers. **HB 812 - Public Schools - Dating Violence - Policy and Disciplinary Standards** (RSC 3) has passed the House with only a technical amendment regarding when the local boards must file their policy, but the Senate cross file, SB 617 has received an unfavorable report. Another bill on a similar subject, **SB 667 - Teen/Teen Dating Violence** (RSC 3) has also received an unfavorable report in the EHEA Committee, but there has been no action on the House cross file HB 386.

**HB 751 - Lawton Farm to School Program** (RSC 3) passed the House unamended, but **HB 528 - Planting and Maintaining Gardens** (RSC 3) has been substantially amended by deletion of the implementation provisions, adding only a requirement that local school boards should adopt implementation procedures. SB 791, its cross file, has received an unfavorable vote in EHEA.

One of the two House bills dealing with youth athlete concussions - **HB 858** (RSC 3) has passed, heavily amended to include Youth Sports Programs in a separate Subtitle beyond athletic programs on school property.. Similar requirements are imposed on coaches of these programs as on school coaches and personnel in the original bill. No action has been taken on the Senate cross file, SB 771 or on the other House bill, HB 1 ( RSC 1).

**HB 685 - Bullying Safety Risks and Health Problems** (RSC 3) has passed the House, including an amendment that requires information on safety and health risks that may affect a victim or perpetrator of bullying, harassment or intimidation to be part of the model policy already required to deal with these three important issues. The specific provisions to implement these safety and health risks are deleted. EHEA gave the Senate cross file, SB 549 an unfavorable vote.

**SB 791**, the cross file of HB 525 that would have added ineffectiveness as a reason to dismiss teachers (RSC 3 and 4) also received an unfavorable vote.

Many of the education bills in both houses have not been acted on by their respective committees even though the committee reporting courtesy date passed last week.

*Lois Stoner*

## MEETING BASIC HUMAN NEEDS

**HB 902 Human Relations-housing discrimination - Source of Income (reported in RSC 3)** lost by 3 votes in Environmental Matters.

**HB 87 Job Applicant Fairness Act (reported in RSC 2)** passed **this Saturday** in the House, similar bill (SB 132) has already passed in the Senate.

## IMMIGRATION

**SB 167 Public Institutions of Higher Education - tuition Rates - Exemptions** has passed with amendments in the Senate and has a hearing in Ways and Means on 3/30.

*Ruth Crystal*

## ADMINISTRATION OF JUSTICE

**SB 281** (Miller, Currie, Muse, Peters & Ramirez) **Baltimore County & Prince George's County - Orphans' Court Judges – Qualifications**, a Maryland constitutional amendment to require a qualification of admitted to practice law and good standing of the Maryland Bar. Passed Senate 3/8 46-0. House JUD hearing 3/30.

**SB 832** (Stone) **HB 930** (Cardin) & **HB 1165** (Lafferty & Minnick) **Baltimore County Orphans' Court Judges Qualifications**, same provisions as SB 281. JPR 3/21 SB832 withdrawn unfavorable 11-0. HB 930 JUD unfavorable 3/25 19-0-2. HB 1165 still in House Rules.

**SB 17**, Chair, Judicial Proceedings Committee (by Request - Maryland Judicial Conference) **Courts - Sentence Review-Review Panel** proposes to limit criminal sentence review panel to 3 judges, one of whom can not be the sentencing judge. JPR 2/7 favorable 11-0. Passed Senate 2/10 46-0. Sent to House 2/11 no action. Crossfile HB 312 JUD favorable 3/7 21-0. Passed House 3/10 137-0. Sent to Senate JPR. No hearing date.

**HB 351** (Carter, Anderson & Vallario) & **SB 853** (Getty) **Orphans' Courts – Minors - Guardianship of Person** proposes to delete the requirement if the presiding judge of the orphans' court is a member of the bar in exercising jurisdiction over guardianship of a minor. Passed House 3/3 128-7 JPR 3/4 SB 853 hearing 3/22.

**HB 22 Administrative Office of the Courts - Uniform Subpoena Procedures & Forms for Circuit Court Judges** - Favorable w/amend JUD 19-0-2 Passed House 137-0 3/24.

**HB 135**, Chair, Judiciary Committee (by request Department of Public Safety and Correctional Services) **Courts and Judicial Proceedings - Crime Victims and Witnesses Funds - Court Costs** proposes to increase existing fines. JUD favorable 12-5-5 3/23 Passed House 117-17 3/24.

### Previous reports:

**HB 955** (Myers) Election for County Treasurers, Clerks of Court and Register of Wills - Non Partisan Elections. Ways & Means Unfavorable report 3/23 withdrawn 21-0-2.

**HB 956** (Myers) Election of Sheriffs - Non Partisan Elections. Way& Means unfavorable report 3/23 withdrawn 21-0-2.

**HB 834** & **HB 885** Orphans' Court - Change of Name to Estate Court & Constitutional amendment. JUD Unfavorable 2/24 18-2.

**HB 375** Circuit Court Judges - Election, Qualifications, and Term of Office, Constitutional Amendment. JUD 2/26 Unfavorable Bill withdrawn.

**HB 309** Circuit Court Judges-Election and Term of Office, Constitutional Amendment same provisions as HB375. JUD 2 /26 Unfavorable. Bill withdrawn.

**HB 434** District Court - Small Claim Actions proposes to change the amount from \$5,000 to \$10,000 for civil actions JUD unfavorable 2/24 18-1.

**SB 52** Elections - Candidates for Judicial Offices - Certificates of Candidacy & Campaign Finance Entities. [EHEA hrg 1/25, no action]

*Grace Kubofcik*

## **JUVENILE JUSTICE**

**HB 51/SB 787**, requiring the Dept. of Juvenile Services (DJS) to provide equivalent services for males and females, has passed in both the House and Senate on second reading. However, different amendments have been attached to each bill requiring a conference before either bill can progress.

**HB 426**, Del Love et al - removing a child 16 and older from Juvenile Court jurisdiction if they have been convicted of a crime as part of gang, has been withdrawn. This is good news, since the League opposes removing children under 18 from Juvenile Court Jurisdiction.

**HB 1190**, Del. Jones, and many delegates from the affected counties, sets up a pilot Children in Need of Supervision (CINS) program harnessing the power of the Juvenile Court to compel families to use services to help their pre-delinquent children. Costs would be covered by the local Management Board for Children Youth and Families (LMB) but the State would be required to provide \$250,000 to each of the jurisdictions included in the program. The bill passed the house with an amendment that allows the State to pay \$250,000 to the pilot counties but does not require any financial contribution. This bill is crossfiled as SB890, which has been heard in the Judicial Proceedings, but no action has been taken.

**HB 448/SB 615** involves the funding for up to 400 children who will attend the SEED school, an institution for behaviorally challenged students. The bills have been heard in the House and Senate but no action has been taken.

*Debbie Ehrenstein*

## **CHILDREN'S SERVICES**

**HB 162/ SB 178**, which makes child neglect a crime similar to the crime of child abuse, has passed both Houses of the legislature. There are many amendments, but it appears that the Senate and House have passed similar bills. This bill was not supported by advocates for children, who think it will prevent families in danger of neglecting their children from getting the services they need while court trials are taking place. In addition, the advocates fear that the threat of being criminally charged with "child neglect" will prevent some families from seeking services voluntarily.

The status of **SB 42/HB 1068**, establishing a fund to receive voluntary contributions for after-school activity remains the same. There have been hearings in both houses of the Legislature, but no action has been taken. The fiscal note states that this fund will have minimal impact on state revenues costing some money to change income tax forms and provide some funds to the Governor's Office on Children for administration.

**HB 137**, which set up an "alternative response" to reports to Child Protective Services has been withdrawn.

**HB 1019/SB 594** attempts to separate reasonable corporal punishment from child abuse. This bill has been reported unfavorably by the House Judicial Proceedings Committee. It has also been heard in the Senate, but no vote has been taken.

The budget proposed by the Maryland State Department of Education (MSDE) has reduced the funds available for state child-care subsidies. As a result, income-eligible clients who are not welfare recipients and not currently receiving subsidies, will be placed on a waiting list affecting their ability to work or find responsible day care for their children. Another issue of concern is the reduced funding for the State Child Care Resource and Referral Network which provides training for child-care professionals and referrals to child care for parents seeking responsible care-givers for their children.

*Debbie Ehrenstein*

## **ENVIRONMENT**

**HB 573 - The Fertilizer Use Act of 2011** passed the House 135-4 on March 21. This comprehensive act for fertilizer use was reported out favorably with amendment by the House Environmental Matters committee. It was further amended on the floor and passed March 21. The Act would regulate nitrogen and phosphorus in lawn fertilizer, establish a certificate program by the MDE for lawn care companies, educate about fertilizer use, etc. The Act seems to have been favored over bills for just nitrogen or phosphorus that were introduced this session. Del. Hubbard, the sponsor, is vice chairman of the Chesapeake Bay Commission (CBC), which lent credence to his measure. The Chesapeake Bay Commission (CBC) is a tri-state legislative commission created in 1980 to advise the members of the General Assemblies of Maryland, Virginia, and Pennsylvania on matters of Bay-wide concern. The crossfiled bill SB 487 has been heard in the Education, Health and Environmental Affairs Committee, but no action taken as of March 28. The passage of the bill would be important for improving the health of the Bay, which is impacted by storm water runoff carrying excess fertilizer from suburban lawns that fertilizes algal blooms in the Bay.

**HB 57 - Bay Restoration Fund** passed the House 138-0 and its crossfiled bill, SB539, seems to be well on its way in the Senate as it passed second reading with amendments on March 24. The measure would allow loans or grants from the bay Restoration Funds to be used to fund hook ups to a municipal sewage system when more cost effective than upgrading an on-site septic system.

**HB 852 - Marcellus Shale Safe Drilling Act of 2011** has passed the House 98 to 40. A moratorium on fracking or hydraulic drilling for natural gas will be imposed to assess the environmental effects on water supply safety, roads, habitat, etc of the process through a study by the MDE. The measure had not yet been reported out of the Senate committee Education, Health and Environmental Matters. Needless to say, there is a lot of pressure by the gas industry to block this measure. Support.

**HB 1054, SB 861 - Maryland Offshore Wind Energy Act** is an Administration proposal that the League is strongly behind to significantly increase our renewable energy supply in Maryland. Its passage is in doubt, as there is sentiment to have a study of it, instead of passing the bill this year. It has been heard in the Economic Matters Committee and is expected to be acted on there March 28. The Administration and the environment community as well as the League point out that this has been thoroughly studied by our Maryland Energy Administration and other Maryland government entities. The bill would require the Public Service Commission to have the four largest investor-owned utility companies bid on a 25-year-contract to buy 400-600 megawatts of energy

*Susan Cochran*



## HEALTH

**HB 166, Maryland Health Benefit Exchange**, was reported out of the Health and Government Operations (HGO) Committee with amendments and has passed third reader. The primary amendment will give the insurance brokers and agents a continuing role to play in the functioning of the exchange. The crossfiled bill SB 182 has been voted out of Senate Finance, but not Budget and Taxation. SB 107, Senator Astle's bill, had a hearing early in February in Budget and Taxation, but has not been voted on either. Budget and Taxation could be worried about the funding source for the bills.

**HB 784 -Medical Records – Health Information Exchanges** passed the House, crossed over to Senate Finance, and was favorably reported out, and passed second reader in the Senate. The bill requires that all health information exchanges be “connected” to the state designated Health Information Exchange, under the supervision of the Maryland Health Care Commission (MHCC). The House also adopted amendments requiring MHCC regulation of the sale of “secondary use information” regarding privacy and confidentiality of information. The bill is through the House and in the Senate.

**The Loraine Sheehan Health and Community Services Acts (HB 121/SB 168)**, which would increase the alcohol tax from \$1.50 to \$10.03 per gallon remain in both the House and Senate Committee. The Senate Finance Committee is considering a sales tax rather than an excise tax, to be implemented in one percent increases over three years. This would be a very late bill, but it seems to be fast tracked. The revenue is scheduled to go to the general fund this year, but is designated next year: \$5 million to the developmentally disabled and \$21.0 to Prince Georges' County and Baltimore City.

The House HGO Health Insurance Subcommittee met and favorably reported out, **HB 736 - Electronic Health Records – Incentives for Health Care Providers – Regulations**, passed and the crossfiled bill SB 722 passed the Senate. Both crossed over to the opposite house. One bill or the other will have to pass and be reconciled.

**SB 883/HB 1229 - Prescription Drug Monitoring** was heard in both houses on March 16. The bills were filed late and are in the House HGO Committee and the Senate Finance Committee. These bills are favored by former Attorney General Joseph Curran, so it will move forward. The medical community has asked for amendments to eliminate the law enforcement aspects of the bill. Basically, the bill would allow physicians, patients and law enforcement to check the prescriptions written for all Schedule II – V drugs (all analgesics and narcotic pain killers.)

The House Judiciary Committee voted **against HB 340 - Health Care Malpractice – Certificate and Report of Qualified Expert – Objection**. It would have allowed the trial bar many opportunities to obtain a Certificate of Merit in malpractice cases.

**SB 604/HB 1111 - Tanning Devices - Use by Minors - Prohibition**, was heard in the House Economic Matters Committee and was much more contested than originally believed. It may have a chance to pass. The Chair of the Committee (Dereck Davis) has openly declared his support for the bill. The vote is likely to be extremely close because of the passage of the parental consent bill three years ago.

There are four “Ignition Interlock” bills requiring that those convicted of drunk driving could only drive vehicles which have an Ignition Interlock. Two of the bills (**HB 318, HB 1012**) have a mandatory interlock requirement for individuals who are convicted of driving under the influence or driving while intoxicated. The other two bills have a more lenient approach but advance the existing Ignition Interlock Program (**HB 360, HB 1276**).

**HB 291 - Maryland Medical Marijuana Model Program Work Group**, has passed both houses, however it has been significantly amended. In its current form it will create an 18 member panel to advise the legislature on how to create a program in 2012. SB 308 also passed the panel concept and immediate protection for patients of a medical necessity defense in court.

*Neilson Andrews*

