



AGENDA ITEM 1
February 23, 2009

OFFICE OF INTERGOVERNMENTAL RELATIONS

Isiah Leggett
County Executive

Melanie Wenger
Director

February 23, 2009

MEMORANDUM

TO: Montgomery County Council

FROM: Melanie L. Wenger, Director
Office of Intergovernmental Relations

SUBJECT: Fourth Winter Update

The purpose for this afternoon's meeting is to discuss:

- update on the 2009 Session – half-way through;
- new bills affecting Montgomery County at circle 1;
- status of Local legislation at circle 10;
- Senate Bill 170 – *County Board of Health – Meetings and Fee-Setting Powers*, at circle 19; and
- anything else.

A2

9lr3277

Bill No.: _____

Requested: _____

Committee: _____

Drafted by: Lantner

Typed by: David

Stored - 02/17/09

Proofread by _____

Checked by _____

By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County - Rockville Town Center - Beer and Light Wine**
3 **Licenses - Supermarkets**

4 **MC 936-09**

5 FOR the purpose of authorizing a Class A beer and light wine license to be issued to a
6 supermarket located in the Rockville Town Center zoned property in
7 Montgomery County; making certain stylistic changes; and generally relating to
8 alcoholic beverages licenses in Montgomery County.

9 BY repealing and reenacting, without amendments,
10 Article 2B - Alcoholic Beverages
11 Section 5-101(a)(1) and (q)(1)
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2008 Supplement)

14 BY adding to
15 Article 2B - Alcoholic Beverages
16 Section 5-101(q)(4)
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2008 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1

9lr3277

19 BY repealing and reenacting, with amendments,
 20 Article 2B – Alcoholic Beverages
 21 Section 9–102(a–1)
 22 Annotated Code of Maryland
 23 (2005 Replacement Volume and 2008 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article 2B – Alcoholic Beverages**

27 5–101.

28 (a) (1) A Class A beer and light wine license shall be issued by the license
 29 issuing authority of the county in which the place of business is located. The holder of
 30 the license may keep for sale and sell beer and light wines at retail, in any quantity to
 31 any consumers, at the place described in the license. The holder shall deliver the beer
 32 and light wines in a sealed package or container, which package or container may not
 33 be opened nor its contents consumed on the premises where sold.

34 (q) (1) In Montgomery County the annual license fee is \$250.

35 (4) **A SUPERMARKET LOCATED IN THE ROCKVILLE TOWN**
 36 **CENTER ZONED PROPERTY MAY BE ISSUED A CLASS A BEER AND LIGHT WINE**
 37 **LICENSE.**

38 9–102.

39 (a–1) (1) A Class A, B, or D beer license, beer and wine license, or beer, wine
 40 and liquor license, except by way of renewal, may not be granted, transferred, or
 41 issued to, or for use in conjunction with, or upon the premises of any business
 42 establishment of the type commonly known as chain stores, supermarkets, or discount
 43 houses.

44 (2) This subsection does not apply to or affect:

9lr3277

45 (I) [any] ANY business establishment already holding such a
46 license or the possibility of such licensee having the license transferred to a similar
47 type of business establishment; OR

48 (II) A SUPERMARKET UNDER § 5-101(Q)(4) OF THIS
49 ARTICLE.

50 (3) Discount houses do not include licensees who sell at discount
51 prices.

52 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
53 July 1, 2009.

HOUSE BILL 1133

L5

9lr2305

By: **Montgomery County Delegation and Prince George's County Delegation**
 Introduced and read first time: February 13, 2009
 Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Comprehensive Whistleblower**
3 **Protections**

4 **MC/PG 120-09**

5 FOR the purpose of requiring the Washington Suburban Sanitary Commission to
 6 adopt certain regulations on or before a certain date that establish certain
 7 comprehensive employee whistleblower protections; requiring the regulations to
 8 be similar to certain other provisions, prohibit a certain manager or supervisor
 9 from taking or refusing to take a certain personnel action against a certain
 10 employee under certain circumstances, require the Commission to provide
 11 certain written notice to certain employees, set up a certain procedure for filing
 12 certain complaints or grievances, establish a system for investigating certain
 13 complaints, and set forth certain remedial actions that may be taken under
 14 certain circumstances; and generally relating to Washington Suburban Sanitary
 15 Commission regulations establishing comprehensive employee whistleblower
 16 protections.

17 BY adding to
 18 Article 29 - Washington Suburban Sanitary District
 19 Section 18-109
 20 Annotated Code of Maryland
 21 (2003 Replacement Volume and 2008 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article 29 - Washington Suburban Sanitary District**
 25 **18-109.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



4

2

HOUSE BILL 1133

1 **(A) ON OR BEFORE OCTOBER 1, 2010, THE COMMISSION SHALL ADOPT**
2 **REGULATIONS THAT ESTABLISH COMPREHENSIVE COMMISSION EMPLOYEE**
3 **WHISTLEBLOWER PROTECTIONS.**

4 **(B) THE REGULATIONS ADOPTED UNDER SUBSECTION (A) OF THIS**
5 **SECTION SHALL:**

6 **(1) BE SIMILAR TO THE PROVISIONS OF TITLE 5, SUBTITLE 3 OF**
7 **THE STATE PERSONNEL AND PENSIONS ARTICLE;**

8 **(2) PROHIBIT A MANAGER OR SUPERVISOR FROM TAKING OR**
9 **REFUSING TO TAKE A PERSONNEL ACTION AS A REPRISAL AGAINST AN**
10 **EMPLOYEE WHO:**

11 **(I) DISCLOSES INFORMATION THAT THE EMPLOYEE**
12 **REASONABLY BELIEVES EVIDENCES:**

13 **1. AN ABUSE OF AUTHORITY, GROSS**
14 **MISMANAGEMENT, OR GROSS WASTE OF MONEY;**

15 **2. A SUBSTANTIAL AND SPECIFIC DANGER TO**
16 **PUBLIC HEALTH OR SAFETY; OR**

17 **3. A VIOLATION OF LAW; OR**

18 **(II) FOLLOWING A DISCLOSURE UNDER ITEM (I) OF THIS**
19 **ITEM, SEEKS A REMEDY PROVIDED BY REGULATION OR ANY OTHER LAW;**

20 **(3) REQUIRE THE COMMISSION TO PROVIDE THE EMPLOYEES OF**
21 **THE COMMISSION WITH WRITTEN NOTICE OF THE PROTECTIONS AND REMEDIES**
22 **PROVIDED BY THE REGULATIONS;**

23 **(4) SET UP A PROCEDURE BY WHICH AN EMPLOYEE WHO SEEKS**
24 **RELIEF FOR A VIOLATION OF THE REGULATIONS MAY FILE A COMPLAINT OR A**
25 **GRIEVANCE;**

26 **(5) ESTABLISH A SYSTEM FOR INVESTIGATING COMPLAINTS AND**
27 **GRIEVANCES; AND**

28 **(6) SET FORTH REMEDIAL ACTIONS THAT MAY BE TAKEN BY THE**
29 **COMMISSION IF A VIOLATION OF THE REGULATIONS IS FOUND TO HAVE**
30 **OCCURRED.**

5

HOUSE BILL 1133

3

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2009.

6

HOUSE BILL 1134

L5

91r2307

By: **Montgomery County Delegation and Prince George's County Delegation**
 Introduced and read first time: February 13, 2009
 Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Audit and Financial**
3 **Statements**

4 **MC/PG 122-09**

5 FOR the purpose of requiring the Washington Suburban Sanitary Commission to file
6 each year a certified copy of its annual audit and current financial statements
7 with the Montgomery County and Prince George's County Senate and House
8 delegations to the Maryland General Assembly; and generally relating to the
9 audits and financial statements of the Washington Suburban Sanitary
10 Commission.

11 BY repealing and reenacting, with amendments,
12 Article 29 - Washington Suburban Sanitary District
13 Section 1-106
14 Annotated Code of Maryland
15 (2003 Replacement Volume and 2008 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article 29 - Washington Suburban Sanitary District**

19 1-106.

20 The WSSC shall:

21 (1) Publish annually in at least one newspaper in Montgomery
22 County, and one in Prince George's County, a copy of the current financial statement
23 of the WSSC;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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HOUSE BILL 1134

1 (2) Employ a certified public accountant licensed to practice in this
2 State to audit the books and accounts of the WSSC;

3 (3) Keep available and open to public inspection during business
4 hours, at its principal office, the annual audit and current financial statements; and

5 (4) File annually with the County Executive and County Council of
6 Prince George's County [and], the County Executive of Montgomery County, **AND THE**
7 **MONTGOMERY COUNTY AND PRINCE GEORGE'S COUNTY SENATE AND HOUSE**
8 **DELEGATIONS TO THE MARYLAND GENERAL ASSEMBLY**, a certified copy of the
9 annual audit and current financial statements.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2009.



HOUSE BILL 1142

L5

9lr2306

By: Montgomery County Delegation and Prince George's County Delegation
 Introduced and read first time: February 13, 2009
 Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission - Motions**

3 **MC/PG 121-09**

4 FOR the purpose of prohibiting a certain motion before the Washington Suburban
5 Sanitary Commission from being adopted without receiving a majority vote of
6 the commissioners that includes at least one commissioner appointed from
7 Montgomery County and one commissioner appointed from Prince George's
8 County; and generally relating to motions before the Washington Suburban
9 Sanitary Commission.

10 BY adding to

11 Article 29 - Washington Suburban Sanitary District
12 Section 1-108
13 Annotated Code of Maryland
14 (2003 Replacement Volume and 2008 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article 29 - Washington Suburban Sanitary District**

18 **1-108.**

19 **A MOTION BEFORE THE COMMISSION MAY NOT BE ADOPTED WITHOUT**
20 **RECEIVING A MAJORITY VOTE OF THE COMMISSIONERS THAT INCLUDES AT**
21 **LEAST ONE COMMISSIONER APPOINTED FROM MONTGOMERY COUNTY AND ONE**
22 **COMMISSIONER APPOINTED FROM PRINCE GEORGE'S COUNTY.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2009.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



9

Local Bill Chart

Bill	Sponsor	Synopsis	CR/CE	History
MC 902-09 HB 821	Frick	MC – Al. Bev. – Corporate Training Center License <i>Creates a Corporate Training Center License in the County</i>	S/S	Hrg: 12/11 Assigned: County Affairs Work Session 1/22 Passed County Affairs 2/5 (8-0) Delegation FAV 2/6 (22-0) Senate Delegation 2/12 Favorable ECM hrg. 2/23
MC 906-09 HB 838	Carr, <i>et al.</i>	MC – Property Tax – Classes of Property and Special Rates <i>Authorizes MC to impose different property tax rates on different types of property</i>	NP/NP	Hrg: 12/11 Assigned: County Affairs Work Session 1/29 Special Ordered to 2/12 Unfavorable 2/12 (5-3) Delegation 2/13 – Unfavorable (17-6)
MC 907-09 HB 822	Carr, <i>et al.</i>	MC – Railroad Grade Crossings – Automated Enforcement Systems <i>Authorizing the use of cameras at railroad grade crossings</i>	S/Hold	Hrg: 12/11 Assigned: Land Use & Transportation Work Session 2/12 Favorable 2/12 (5-0) Delegation 2/13 Favorable (23-1)

<p>MC 908-09</p>	<p>Ali</p>	<p>MC – No So-Called Sexual Stimulant Pills for Kids Act <i>Prohibits the sale to minors of products labeled and marketed as sexual stimulant pills; requires retailers to modify product display; requires the DHMH Secretary Hygiene to adopt regulations, etc.</i></p>	<p>NP/O</p>	<p>Hrg: 12/11 Assigned: County Affairs Work Session 1/29 Special Ordered to 2/12 <u>WITHDRAWN</u></p>
<p>MC 909-09 HB 829</p>	<p>Gutierrez</p>	<p>MC – Law Enforcement Officer Issues Electronic Weapon – Provision of Automated External Defibrillator <i>Requires each officer with an electronic weapon to carry an AED</i></p>	<p>NP/O</p>	<p>Hrg: 12/11 Assigned: County Affairs Work Session 1/22 Special Ordered 2/12 Special Ordered 2/19</p>
<p>MC 912-09 HB 826</p>	<p>Ali, et al.</p>	<p>MC – Speed Camera Fairness Act <i>Prohibits a contractor's fee from being contingent on the number of citations issued or paid in certain situations</i></p>	<p>O/Hold</p>	<p>Hrg: 12/11 Assigned: Land Use & Transportation Work Session 2/12 Unfavorable 2/12 (5-0) Delegation 2/13 <u>WITHDRAWN</u></p>
<p>MC 913-09 HB 825</p>	<p>Lee</p>	<p>MC – Regulation of Campaign Finance Disclosure <i>Authorizes the governing body of MC to enact laws to regulate campaign finance disclosure for certain officeholders in Montgomery County</i></p>	<p>S/S</p>	<p>Hrg: 12/11 Assigned: County Affairs Passed County Affairs w/A 2/5 (8-0) Delegation FAV (22-0) 2/6 Senate Delegation 2/12 Special Ordered</p>

<p>MC 917-09 HB 823</p>	<p>Chair, on behalf of MC</p>	<p>MC Revenue Authority – Local Government Tort Claims Act <i>Clarifies that the Revenue Authority is covered by the Local Government Tort Claims Act</i></p>	<p>S/S</p>	<p>Hrg: 12/11 Assigned: County Affairs Work Session 1/22 Passed County Affairs 2/5 (7-1) Delegation FAV (16-7) 2/6</p>
<p>MC 918-09 HB 830</p>	<p>Mizeur</p>	<p>MC – Just Cause Eviction <i>Authorizes MC and municipal corporations in MC to recognize and declare that the eviction of tenants from residential rental units without just cause is unlawful., etc</i></p>	<p>NP/S</p>	<p>Hrg: 12/13 Assigned: County Affairs Work Session 1/29 Favorable 2/12 (5-3) Delegation 2/13 – Special Ordered <u>WITHDRAWN</u></p>
<p>MC 920-09 HB 827</p>	<p>Kaiser</p>	<p>MC – Solicitation by Adults of Money or Donations from Occupants of Vehicles – Adoption of a Permit Program <i>Authorizes the MC Council or the governing body of a municipal corporation in MC to enact a local law to require an adult or an adult representative of certain organizations to obtain a certain permit before standing in a roadway to solicit money or donations of any kind from the occupant of a vehicle.</i></p>	<p>O/O</p>	<p>Hrg: 12/11 Assigned: Land Use & Transportation Work Session 2/18 Unfavorable (6-0) Delegation UNF (21-0)</p>

MC 921-09 HB 832	Feldman	MC – Income Tax – Biotechnology Investment Credit	S/S/a	Hrg: 12/11 Assigned: County Affairs Work Session 1/22 Passed County Affairs 2/5 (8-0) Delegation FAV (22-0) 2/6 Senate Delegation 2/12 Favorable
MC 922-09 HB 831	Feldman	MC – Steel Jaw Leghold or Body-Gripping Traps – Prohibition <i>Expands the application of the prohibition against the use, setting, placement, or maintenance of a steel jaw leghold or body-gripping trap in MC</i>	NP/NP	Hrg: 12/11 Assigned: County Affairs Work Session 1/29 Work Session 1/19 Favorable 2/19 (7-1) Delegation S/O 2/20
MC 926-09 HB 824	Kaiser	MC – Recordation Tax – Indemnity Mortgages <i>Closes a loophole that allows a borrower to avoid recordation tax if the borrower is not the actual person that will be repaying the loan</i>	NP/S	Hrg: 12/11 Assigned: County Affairs Work Session 1/29 Work Session 2/19 Special Ordered 2/19
MC 927-09 HB 834	Raskin	MC – Solicitation of Money or Donations from Occupants of Vehicles – Prohibitions and Exceptions <i>Prohibits solicitation on MC roadways with certain exceptions; requires a safety plan; sets up a permitting system</i>	O/O	Hrg: 12/11 Assigned: Land Use & Transportation Work Session 2/18 Unfavorable 6-0 Delegation UNF 21-0

<p>MC 928-09 HB 833</p>	<p>King</p>	<p>MC – Winery Special Event Permits – MC Agricultural Fair <i>Creates a Comptroller permit for the MC Agricultural Fair</i></p>	<p>S/S</p>	<p>Hrg: 12/11 Assigned: County Affairs Work Session 1/22 Passed County Affairs 2/5 (8-0) Delegation FAV (23-0) 2/6 Senate Delegation 2/12 Favorable</p>
<p>MC 929-09 HB 837</p>	<p>Garagiola</p>	<p>MC – Speed Monitoring Systems – Use by Designated Agencies in Municipal Corporations <i>Alters a definition to authorize a municipal corporation in MC without a police department to establish or designate a person to enforce speed restrictions by using speed cameras.</i></p>	<p>O/O</p>	<p>Hrg: 12/11 Assigned: Land Use & Transportation Work Session 2/12 Unfavorable 2/12 (5-1) Delegation 2/13 Unfavorable (17-6)</p>
<p>MC 930-09 HB 841</p>	<p>Carr</p>	<p>MCPS – Funding Accountability and Transparency Act <i>Requires the Montgomery County Board of Education to develop and operate a website that includes information about certain payments</i></p>	<p>/S w/A</p>	<p>Hrg: 1/23 - Accepted as late filed. Hrg: 1/30 Work Session 2/5 FAV/a 2/12 (6-2) Delegation 2/13 Favorable (23-1)</p>
<p>MC 931-09</p>	<p>Raskin</p>	<p>MC – Voting System – Requirement <i>Requires the State Board of Elections to select, certify, and acquire a voting system for use in Montgomery County that accommodates certain voting methods.</i></p>	<p>/O</p>	<p>Hrg: 1/23 - Accepted as late filed. Hrg: 1/30 <u>WITHDRAWN</u></p>

MC 932-09 HB 820	Kaiser (on behalf of County Executive)	MC Employees – Property, Recordation & Transfer Taxes	S/O	Redrafted MC 919-09 Assigned to County Affairs Work Session 2/19 Special Ordered 2/19
MC 933-09 HB 836	Manno, <i>et al.</i>	MC – Income Tax – Organic Agriculture Investment Credit <i>Authorizes the governing body of MC to grant a credit against the county income tax for organic agriculture investment</i>	/S	2/6 Late-filed hearing 2/6 Accepted as late-filed Hearing 2/13 Assigned to County Affairs Work Session 2/19
MC 934-09 HB 835	Carr, <i>et al.</i>	MC – Kensington – Expansion of Area for Alcoholic Beverages Licenses <i>Expands the area in which a special B-K license may be issued; also reduces restaurant seating capacity requirement from 40 to 20</i>	/S	2/6 Late-filed hearing 2/6 Accepted as late-filed Hearing 2/13 Assigned to County Affairs Work Session 2/19
MC 936-09	Simmons	MC – Rockville Town Center – Beer & Light Wine Licenses – Supermarkets <i>Removes the prohibition against alcoholic beverages licenses in supermarkets for the Rockville Town Center</i>		Late-filed hrg 2/20 2/20 Accepted as late-filed Hearing 2/27

Friday, February 20, 2009

Bi-County Bills

Status as of February 20, 2009

Montgomery County - WSSC- Financial Oversight Act

PG-MC 101-09 Del. Ali HB 1136	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">MoCo</td> <td style="text-align: center;">PrGeo</td> </tr> <tr> <td>Ex: Support</td> <td></td> </tr> <tr> <td>CC: Support</td> <td></td> </tr> <tr> <td>WSSC: Hold</td> <td></td> </tr> </table>	MoCo	PrGeo	Ex: Support		CC: Support		WSSC: Hold		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">MoCo House</td> <td style="text-align: center;">PrGeo House</td> <td style="text-align: center;">House</td> <td style="text-align: center;">Senate</td> </tr> <tr> <td>BCA Deleg.</td> <td>BC Deleg.</td> <td>Full</td> <td>MoCo PrGeo Full</td> </tr> <tr> <td colspan="4">Hold</td> </tr> <tr> <td colspan="4">Last Action: Special ordered for amendment, 2-Feb-09</td> </tr> </table>	MoCo House	PrGeo House	House	Senate	BCA Deleg.	BC Deleg.	Full	MoCo PrGeo Full	Hold				Last Action: Special ordered for amendment, 2-Feb-09			
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Hold																										
Last Action: Special ordered for amendment, 2-Feb-09																										

This bill would require the WSSC to provide the Montgomery County Council with a copy of the WSSC's certified annual audit and current financial statements.

M-NCPPC - Workers' Compensation - Lyme Disease Presumption

PG-MC 103-09 Del. Reznik HB 1135	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">MoCo</td> <td style="text-align: center;">PrGeo</td> </tr> <tr> <td>Ex: Support</td> <td></td> </tr> <tr> <td>CC: Amend</td> <td></td> </tr> <tr> <td>M-NCPPC: N/P</td> <td></td> </tr> </table>	MoCo	PrGeo	Ex: Support		CC: Amend		M-NCPPC: N/P		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">MoCo House</td> <td style="text-align: center;">PrGeo House</td> <td style="text-align: center;">House</td> <td style="text-align: center;">Senate</td> </tr> <tr> <td>BCA Deleg.</td> <td>BC Deleg.</td> <td>Full</td> <td>MoCo PrGeo Full</td> </tr> <tr> <td colspan="4">▶▶▶ ▶▶▶ ▶▶▶ II</td> </tr> <tr> <td colspan="4">Last Action: Special ordered PrGeo House Delegation, 18-Feb-09</td> </tr> </table>	MoCo House	PrGeo House	House	Senate	BCA Deleg.	BC Deleg.	Full	MoCo PrGeo Full	▶▶▶ ▶▶▶ ▶▶▶ II				Last Action: Special ordered PrGeo House Delegation, 18-Feb-09			
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This bill extends to all unionized M-NCPPC employees a presumption that they contracted Lyme disease while on the job. Currently, the presumption exists only for law enforcement employees. *Amendment extends presumption to all M-NCPPC employees in an outdoor wooded environment.*

WSSC - System Development Charge - Exemptions

PG-MC 104-09 Prince George's County Council HB 1139	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">MoCo</td> <td style="text-align: center;">PrGeo</td> </tr> <tr> <td>Ex: N/P</td> <td></td> </tr> <tr> <td>CC: N/P Support</td> <td></td> </tr> <tr> <td>WSSC: Support</td> <td></td> </tr> </table>	MoCo	PrGeo	Ex: N/P		CC: N/P Support		WSSC: Support		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">PrGeo House</td> <td style="text-align: center;">MoCo House</td> <td style="text-align: center;">House</td> <td style="text-align: center;">Senate</td> </tr> <tr> <td>BC Deleg.</td> <td>BCA Deleg.</td> <td>Full</td> <td>PrGeo MoCo Full</td> </tr> <tr> <td colspan="4">▶▶▶</td> </tr> <tr> <td colspan="4">Last Action: Vote scheduled in PrGeo House Delegation, 20-Feb-09</td> </tr> </table>	PrGeo House	MoCo House	House	Senate	BC Deleg.	BCA Deleg.	Full	PrGeo MoCo Full	▶▶▶				Last Action: Vote scheduled in PrGeo House Delegation, 20-Feb-09			
MoCo	PrGeo																									
Ex: N/P																										
CC: N/P Support																										
WSSC: Support																										
PrGeo House	MoCo House	House	Senate																							
BC Deleg.	BCA Deleg.	Full	PrGeo MoCo Full																							
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This bill alters the SDC exemption enacted in 2007 to allow an exemption for an organization and a facility in Prince George's County that primarily serves youth. Current law requires the facility and organization to exclusively serve youth. Failed in Prince George's delegation in 2008.

WSSC - Budget Approval

PG-MC 105-09 Prince George's County Council HB 1137	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">MoCo</td> <td style="text-align: center;">PrGeo</td> </tr> <tr> <td>Ex: Oppose</td> <td></td> </tr> <tr> <td>CC: Oppose Support</td> <td></td> </tr> <tr> <td>WSSC: Oppose</td> <td></td> </tr> </table>	MoCo	PrGeo	Ex: Oppose		CC: Oppose Support		WSSC: Oppose		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">PrGeo House</td> <td style="text-align: center;">MoCo House</td> <td style="text-align: center;">House</td> <td style="text-align: center;">Senate</td> </tr> <tr> <td>BC Deleg.</td> <td>BCA Deleg.</td> <td>Full</td> <td>PrGeo MoCo Full</td> </tr> <tr> <td colspan="4">II</td> </tr> <tr> <td colspan="4">Last Action: Special Order, PrGeo BiCounty Committee, 18-Feb-09</td> </tr> </table>	PrGeo House	MoCo House	House	Senate	BC Deleg.	BCA Deleg.	Full	PrGeo MoCo Full	II				Last Action: Special Order, PrGeo BiCounty Committee, 18-Feb-09			
MoCo	PrGeo																									
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Last Action: Special Order, PrGeo BiCounty Committee, 18-Feb-09																										

If the counties do not agree on the WSSC's capital budget, this bill caps the appropriation at the previous year's level. This default applies to individual projects as well as the total capital budget. Currently the default is the WSSC's proposal. Failed in Montgomery County Delegation in 2008.

Maryland-Washington Regional District - Prince George's County - General Plan

PG-MC 106-09 Sen. Peters HB 1138	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">MoCo</td> <td style="text-align: center;">PrGeo</td> </tr> <tr> <td>Ex: N/P</td> <td></td> </tr> <tr> <td>CC: N/P</td> <td></td> </tr> <tr> <td>M-NCPPC: Hold</td> <td></td> </tr> </table>	MoCo	PrGeo	Ex: N/P		CC: N/P		M-NCPPC: Hold		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">PrGeo House</td> <td style="text-align: center;">MoCo House</td> <td style="text-align: center;">House</td> <td style="text-align: center;">Senate</td> </tr> <tr> <td>BC Deleg.</td> <td>LUT Deleg.</td> <td>Full</td> <td>MoCo PrGeo Full</td> </tr> <tr> <td colspan="4">▶▶▶ ▶▶▶</td> </tr> <tr> <td colspan="4">Last Action: Favorable as amended by PrGeo Delegation, 20-Feb-09</td> </tr> </table>	PrGeo House	MoCo House	House	Senate	BC Deleg.	LUT Deleg.	Full	MoCo PrGeo Full	▶▶▶ ▶▶▶				Last Action: Favorable as amended by PrGeo Delegation, 20-Feb-09			
MoCo	PrGeo																									
Ex: N/P																										
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PrGeo House	MoCo House	House	Senate																							
BC Deleg.	LUT Deleg.	Full	MoCo PrGeo Full																							
▶▶▶ ▶▶▶																										
Last Action: Favorable as amended by PrGeo Delegation, 20-Feb-09																										

This bill would require the M-NCPPC to initiate and adopt a general plan for the development of the Regional District in Prince George's County at least every seven years.

M-NCPPC - Prince George's County District Council - Delegation of Powers

PG-MC 108-09 Sen. Peters HB 1143	MoCo Ex: N/P CC: N/P M-NCPPC: Oppose	PrGeo	PrGeo House BC Deleg. ■ ■	MoCo House LUT Deleg.	House Full	Senate PrGeo MoCo Full
	Last Action: Unfavorable by PrGeo House Delegation, 20-Feb-09					

This bill would require Prince George's County municipalities to exercise specified planning and zoning functions that are currently the responsibility of the District Council.

M-NCPPC - Montgomery County - Planning Board Enforcement Powers

PG-MC 109-09 M-NCPPC HB 1140	MoCo Ex: Support CC: Support M-NCPPC: Support	PrGeo	MoCo House LUT Deleg. >>> >>>	PrGeo House BC Deleg. >>> >>>	House Full	Senate PrGeo MoCo Full
	Last Action: Vote scheduled in PrGeo House Delegation, 20-Feb-09					

This bill allows the Montgomery County District Council to authorize the Planning Board to appoint a hearing examiner with the ability to subpoena and swear witnesses, order discovery, and conduct hearings in enforcement cases. Passed House in 2008; passed Senate delegations.

M-NCPPC - Mo Co Municipal Corporations - Authority to Regulate Commercial Signs

PG-MC 111-09 Del. Carr et al. HB 1141	MoCo Ex: Support CC: Support M-NCPPC: Oppose	PrGeo	MoCo House LUT Deleg. >>> >>>	PrGeo House BC Deleg. >>>	House Full	Senate MoCo PrGeo Full
	Last Action: Vote scheduled in PrGeo House Delegation, 20-Feb-09					

This bill would allow municipalities without planning and zoning authority to regulate commercial signs within their borders. *Amendment changes effective date to June 1, 2009.*

Bicycle and Pedestrian Advisory Committee - Membership

PG-MC 115-09 M-NCPPC HB 1144	MoCo Ex: Oppose CC: Oppose WSSC: Support	PrGeo Support	MoCo House LUT Deleg. >>>	PrGeo House BC Deleg.	House Full	Senate MoCo PrGeo Full
	Last Action: Amended, Land Use & Transportation, 20-Feb-09					

As amended, this bill would give the M-NCPPC a seat on the State's Bicycle and Pedestrian Advisory Committee.

Washington Suburban Transit District - Transit Facilities - Public School Transportation

PG-MC 116-09 Pr. Geo. Exec. HB 1132	MoCo Ex: Hold CC: Hold WSTD:	PrGeo Support	PrGeo House BC Deleg.	MoCo House LUT Deleg.	House Full	Senate PrGeo MoCo Full
	Last Action: Accepted as late filed, 6-Feb-09					

This bill would add public school transportation in Prince George's County to the list of facilities and services that may be provided by the Washington Suburban Transit District.

Washington Suburban Sanitary Commission - Membership

PG-MC 118-09 Del. Carr HB 1145	MoCo Ex: Oppose CC: Oppose WSSC:	PrGeo	MoCo House BCA Deleg.	PrGeo House BC Deleg.	House Full	Senate MoCo PrGeo Full
	Last Action: Heard 8-Dec-08 in Rockville					

This bill would add a 7th member to the Washington Suburban Sanitary Commission appointed by the governing body of the municipality with the largest number of WSSC customers in each county. The appointment would alternate between each county. (Gaithersburg / College Park)

Washington Suburban Sanitary Commission - Comprehensive Whistleblower Protections

PG-MC 120-09 Sen. Raskin HB 1133	MoCo Ex: CC: WSSC:	PrGeo	MoCo House BCA Deleg.	PrGeo House BC Deleg.	House Full	Senate PrGeo MoCo Full
	Last Action: MoCo Delegation accepted as late filed, 20-Feb-09					

This bill would require the Washington Suburban Sanitary Commission to adopt whistleblower protections for its employees that report waste, abuse, substantial or specific threats to public health or safety, and illegal activity. The protections must be similar to those for State employees.

Washington Suburban Sanitary Commission - Motions

PG-MC 121-09 Sen. Raskin HB 1142	MoCo Ex: CC: WSSC:	PrGeo	MoCo House BCA Deleg.	PrGeo House BC Deleg.	House Full	Senate PrGeo MoCo Full
	Last Action: MoCo Delegation accepted as late filed, 20-Feb-09					

This bill would require all motions of the Washington Suburban Sanitary Commission to be supported by at least one vote from a commissioner from each county to carry.

Washington Suburban Sanitary Commission - Audits and Financial Statements

PG-MC 122-09 Sen. Raskin HB 1134	MoCo Ex: CC: WSSC:	PrGeo	MoCo House BCA Deleg.	PrGeo House BC Deleg.	House Full	Senate PrGeo MoCo Full
	Last Action: MoCo Delegation accepted as late filed, 20-Feb-09					

This bill would require the Washington Suburban Sanitary Commission to provide copies of audits and financial statements to the Montgomery County and Prince George's County delegations to the General Assembly.

SENATE BILL 170

J1

9lr0006

By: Chair, Finance Committee (By Request - Departmental - Health and Mental Hygiene)

Introduced and read first time: January 21, 2009

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **County Board of Health - Meetings and Fee-Setting Powers**

3 FOR the purpose of authorizing a county board of health to set a fee in connection with
4 certain duties, powers, and functions delegated to a health officer or certain
5 other county officials; altering the requirements for meetings to allow meetings
6 during any 2 months in a year; making a stylistic change; and generally relating
7 to county boards of health.

8 BY repealing and reenacting, with amendments,
9 Article - Health - General
10 Section 3-202
11 Annotated Code of Maryland
12 (2005 Replacement Volume and 2008 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Health - General**

16 3-202.

17 (a) (1) Except as provided in paragraph (2) of this subsection, each county
18 board of health shall exercise the duties imposed by law on a board of health.

19 (2) The county board of health shall exercise those duties in each
20 municipality or special taxing district in the county unless the municipality or district
21 has a charter provision or ordinance that:

22 (i) Covers the same subject matter;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



19

2

SENATE BILL 170

1 (ii) Is at least as restrictive as the provision that the county
2 board is required to enforce; and

3 (iii) Includes provisions for enforcement.

4 (b) In addition to the other duties provided by law, each county board of
5 health shall:

6 (1) Meet [in May and October of each] **IN ANY 2 MONTHS IN A** year
7 **AS FORMALLY ADOPTED BY THE BOARD** and at any other time the board considers
8 necessary;

9 (2) Coordinate its activities with the Department; and

10 (3) Report to the Department on the [sanitary] **HEALTH** conditions of
11 the county whenever the board considers it important and necessary to do so.

12 (c) (1) Except as provided in paragraph (2) of this subsection **AND**
13 **NOTWITHSTANDING ANY OTHER PROVISION IN STATE LAW**, each county board of
14 health may set any fee or charge in connection with:

15 (I) [its] **ITS** rules and regulations; **AND**

16 (II) **ANY DUTIES, POWERS, AND FUNCTIONS DELEGATED AS**
17 **PROVIDED IN THIS ARTICLE OR THE ENVIRONMENT ARTICLE TO A HEALTH**
18 **OFFICER FOR A COUNTY OR OTHER COUNTY OFFICIAL AUTHORIZED TO**
19 **ADMINISTER AND ENFORCE HEALTH AND ENVIRONMENTAL LAWS.**

20 (2) A fee or charge for a service that is provided wholly or partly with
21 State or federal funds that the Department administers is subject to approval and
22 modification by the Secretary.

23 (d) In addition to the other powers provided by law and subject to the
24 provisions of this article, each county board of health may adopt and enforce rules and
25 regulations on any nuisance or cause of disease in the county.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2009.

20