Report to
THE GENERAL ASSEMBLY OF 1953

PROPOSED BILLS

VOLUME 1

MARYLAND LEGISLATIVE COUNCIL
THE LEGISLATIVE COUNCIL OF MARYLAND

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LETTER OF TRANSMITTAL

December 1, 1952.

To the Members of the General Assembly:

There is submitted herewith the report and recommendations of the Legislative Council of Maryland to the General Assembly of 1953. It covers generally the two-year period following the General Assembly of 1951, except that the Council has already submitted a set of bills to the "short" session of the General Assembly which met in February, 1952.

Among the more important bills in this volume are those to provide home rule for municipalities, three uniform state laws, a bill to set up a bureau of criminal records in the State Police, one to regulate wire-tapping, a constitutional amendment to restrict the thirty-day sessions in even years to budgetary, revenue and financial matters of the State government, with certain exceptions, and another constitutional amendment providing for a special session about six weeks after the adjournment of every regular session for the sole purpose of voting upon vetoes. Also, there is a series of bills to improve and remove duplications from the motor vehicle laws.

At the end of this volume, there will be found the report of the Legislative Council's Special Committee on Racing.

A supplementary report will be issued later in the month of December.

Respectfully submitted,

GEORGE W. DELLA, Chairman.
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The Report of the Special Committee to Investigate and Study Racing is reprinted at the end of this volume.
PART I

REPORT AND RECOMMENDATIONS
REPORT AND RECOMMENDATIONS

December 1, 1952.

To the Members of the General Assembly:

The Legislative Council herewith submits its report for the regular 90-day session of the General Assembly which begins on Wednesday, January 7, 1953.

This report covers generally the period from the end of the 90-day session of the General Assembly of 1951. During the intervening period, however, the Council submitted a series of bills to the 30-day budgetary session which met in 1952 and at the same time also included the minutes of its meetings up to that time. The present report, therefore, contains the minutes for the meetings of the Council after February, 1952 and also deals with those proposals which have been decided upon since that time.

The Legislative Council met on 19 different days after the session of February, 1952 and up to November 19, 1952. Much of its detailed work was done in committees, the Council being divided into two large committees along the lines of those in the Senate of Maryland.

During the twenty-one month period following the regular session of the General Assembly of 1951 the Legislative Council received a total of 156 proposals or sets of proposals for legislation. They came from departments and agencies of the State government, special commissions appointed to make legislative studies, members of the State judiciary and private organizations and individuals throughout the State. Some of the requests for investigations and studies came also from the General Assembly itself by way of resolutions adopted in either or both houses.

The Legislative Council submits the following bills for the consideration of the General Assembly at its regular 90-day session of 1953:

ACKNOWLEDGMENTS

The Legislative Council is submitting a bill to repeal a number of sections of the Code having to do with acknowledgments and to transfer all laws concerning acknowledgments to Article 18.

ALCOHOLIC BEVERAGES

The Council recommends a bill to add Section 179 to Article 2B of the Code to establish a special enforcement unit within the Alcoholic Beverages Division of the Comptroller's Office.

CONSTITUTIONAL AMENDMENTS

The Legislative Council proposes an amendment to Section 15 of Article 3 of the State Constitution providing generally that only budgetary, revenue and financial matters of the State government may be considered at the regular thirty-day session of the General Assembly, with certain exceptions.

Another proposed constitutional amendment would add Article 11-E to the State Constitution prohibiting the enactment of local laws relating to municipal corporations, except for local laws establishing maximum local property taxes and debt limits.
The next constitutional amendment which is recommended by the Legislative Council would provide for a special session of the General Assembly approximately six weeks after the adjournment of every regular session for the sole purpose of voting upon bills vetoed by the Governor.

Finally, the Council submits a proposed amendment to Section 44 of Article 4 of the Constitution to provide that the salary of the Sheriff of Baltimore City shall no longer be fixed in the Constitution but shall be set by law.

**COURTS**

The Legislative Council recommends to the Legislature a bill to repeal Section 23 of Article 26 of the Code concerning date of execution in cases of certain judgments.

There is a bill to repeal Section 113 and to add Section 89A to Article 52, prohibiting Justices of the Peace from practicing law before another such court in the same political subdivision.

Also, a bill is proposed to amend Section 63 of Article 17, eliminating the requirement for an individual index in each volume of the Land and Chattel Records.

Another bill which is submitted by the Council would add Section 61A to Article 75 of the Code to require that after the Court has delivered a charge to the jury, it shall temporarily discharge the jury, in order to give counsel an opportunity to express objections to the charge out of the presence of the jury.

**CRIMES AND PUNISHMENTS**

A bill is proposed by the Council to add Section 62 to Article 88B of the Code establishing a Bureau of Criminal Records within the Department of Maryland State Police.

Another bill would amend Section 12 and repeal Section 13 of Article 27, to eliminate the penalty of lashing for wife-beating.

Another bill amends Section 455 of Article 27 and also Section 309 of Article 66½ of the Code to eliminate the power of police magistrates in Baltimore City to accept bail for persons charged with the offense of manslaughter by motor vehicle and granting original jurisdiction in such cases to the magistrates of the Traffic Court of Baltimore City as to those cases arising in Baltimore City.

There is a bill to amend Section 8 of Article 12, making more stringent the laws as to bastardy.

**DIVORCE**

The Council is submitting a bill to add Sections 41A to 41D to Article 16 of the Code, enacting the Uniform Divorce Recognition Act.

**EVIDENCE**

The Legislative Council submits to the Legislature a bill to add Section 99 to Article 35 of the Code authorizing the introduction into evidence of the results of radar tests concerning motor vehicles.

Another bill recommended by the Council would regulate wire-tapping by providing that evidence secured by wire-tapping may not be introduced unless it has been secured pursuant to a court order.
FINES AND FORFEITURES

The Legislative Council proposes a bill to amend Section 17 of Article 52 of the Code requiring that instalment payments to justices of the peace in Baltimore City shall go to the Probation Department of the Supreme Bench rather than to the State Division of Parole and Probation.

HEALTH

The Legislative Council proposes a bill to amend Section 1 of Article 43 to take the Director of Health off the State Board of Health and make him the Chief administrative officer of the Board.

Another proposal submitted by the Council is in the form of a joint resolution to request the Committee on Medical Care to study the problem of establishing a State policy on the respective financial responsibility of the State and local government as to public health work.

MOTOR VEHICLES

A bill is submitted by the Legislative Council to amend Sections 118, 119, 120 and 121 of Article 66½ of the Code, changing the requirements for reporting motor vehicle accidents and the provisions concerning security for damages or injuries to persons and generally amending the financial responsibility laws.

Another proposed bill would add Section 119A to Article 83 of the Code, regulating the instalment sale of motor vehicles.

There is also a bill to amend Section 281 of Article 66½, providing that if the owner is found at or near a motor vehicle which has been involved in an accident he is the presumptive driver, and imposing penalties on the owner of such a vehicle for wilfully concealing the name of the driver.

Another long series of bills is submitted by the Council on the recommendation of the Department of Motor Vehicles for the general improvement of the motor vehicle laws and for eliminating duplicating or ambiguous sections.

One of these would amend Section 2(a)(6) and also Section 21 of Article 66½, relating generally to the definition, registration fees and operation of towing vehicles.

Another bill would amend Section 170 of Article 66½, removing a duplicating provision from the motor vehicle laws concerning the fees to be charged for copies of records.

The next bill would add paragraph 22(a)(6) and amend Sections 55 and 57 of Article 66½, concerning the use of motor vehicles in this State by non-resident students enrolled in an accredited Maryland school.

There also is a bill proposed by the Council to repeal Section 24 of Article 66½, which section now provides for the registration of motor vehicles owned by farmers and used on that part of the State's highways which is adjacent to their farms.

The repeal of Section 48 of Article 66½ is proposed. This section relates to the notice to be given by dealers of the receipt of used motor vehicles.

The next recommendation is to amend Section 54 of Article 66½ to include persons other than owners of motor vehicles under the provisions of this section.
There is also a recommendation to amend Section 61 of Article 66½, permitting the purchasers as well as the owners to secure temporary registration plates and also specifying the size for the figures giving the expiration date of these plates.

A present form of registration for shuttle relay buses would be eliminated in an amendment to Section 80 of Article 66½.

The next bill also amending Section 80 of Article 66½ would eliminate the fee for registration of certain farm tractors.

There is a bill to add a new sub-section to Section 80 of Article 66½ to set up a classification for registration for transporters of vehicles, thus replacing three present forms of classification.

In still another bill, adding an amendment to Section 80 of Article 66½, the subject of school buses is treated, clarifying the registration fee chargeable for school buses and also specifying that part of this fee shall be return to the local taxing areas.

The Council also is recommending a bill to amend Section 83 of Article 66½, eliminating the present provisions for refunds on motor vehicle tags on periods of less than a full year.

The next bill being proposed is an amendment to Section 89 of Article 66½, providing that learners' cards shall be good for sixty days instead of thirty days and then shall not be renewable.

There is also a bill to repeal one part of Section 90 of Article 66½, it being in conflict with Section 87, the result of which will be that any person who is unable to understand street and highway signs written in English will be prohibited from securing a driver's license.

Finally, there is a proposal to repeal Section 168 of Article 66½. This section relates to the reporting of accidents and the subject matter is amply covered by the provisions of Section 118 of this Article.

**TAXATION**

A bill is proposed to amend Section 8 of Article 81 of the Code to correct an inadvertent error in an act of 1952 concerning tax exemptions granted to totally blind veterans.

**TORTS**

The Legislative Council is submitting a bill to add Sections 9 to 13 to Article 75C of the Code, enacting the Uniform Single Publication Act.

**UNIFORM ACTS**

The Legislative Council also is recommending three bills proposed by the Maryland Commissioners on Uniform State Laws following their submission by the National Conference of Commissioners on Uniform Laws. These bills concern acknowledgments, uniform recognition of foreign divorces and the single publication act. They are described hereinabove under the headings of Acknowledgments, Divorce, and Torts.
PART II

PROPOSED BILLS

SUBMITTED TO

THE GENERAL ASSEMBLY OF 1953
GUIDE TO BILLS

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Explanation

This bill is recommended by the Maryland Commissioners on Uniform Laws as proposed by the National Conference on Uniform State Laws. It was introduced in 1952 as S. B. 2 but failed to pass. The bill would amend the uniform act on acknowledgments which Maryland adopted in 1951. In addition, the Maryland Commissioners on Uniform Laws have suggested that for purposes of clarification and brevity, several sections in Article 21 of the Code should be repealed and one other section shall be transferred to Article 18, in which the uniform act on acknowledgments is codified. The bill would bring the Maryland law on acknowledgments into accord with the latest proposals of the Commissioners on Uniform Laws, would place all the laws on this subject in one article of the Code and would repeal a number of sections thought to be unnecessary in view of this more recent law.

Item No. 11

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 1 of Article 21 of the Annotated Code of Maryland (1951 Edition), title "Conveyancing," sub-title "Conveyances in General," to repeal Sections 4, 5, 6, 7, 8, 10, 11 and 12 of said Article 21 (1951 Edition); to transfer Section 9 of said Article 21 to Article 18 of the Annotated Code of Maryland (1951 Edition), title "Acknowledgments," sub-title "Uniform Acknowledgments Act," the said section so transferred to be known as Section 22 of said Article 18; to repeal Sections 1 to 8, inclusive, of said Article 18, to repeal and re-enact, with amendments, Section 11, 17(b) and 18 of said Article 18, and to add a new section to said Article 18, said new section to be known as Section 18A, and to follow immediately after Section 18 of said Article, all relating to acknowledgments.

1  SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 4, 5, 6, 7, 8, 10, 11 and 12 of Article 21 of the Annotated Code of Maryland (1951 Edition), title "Conveyances," sub-title "Conveyances in General," be and they are hereby repealed and that Section 1 of said Article 21 be and it is hereby repealed and re-enacted, with amendments, to read as follows:

1. No estate of inheritance or freehold, or any declaration or limitation of use, or any estate above seven years, shall pass or take effect unless the deed conveying the same shall be executed, acknowledged and recorded as herein provided; except that this section shall not apply to any lease or sub-lease for an initial term of not more than seven years which contains any provision for renewal for one or more succeeding stated terms of not more than seven years each, if under such provision for renewal the right to effect or prevent each such renewal term shall be optional with either the landlord or the tenant; and provided, further, that whenever a lease or sub-lease to which this section shall apply has been executed, but has not been acknowledged or recorded or neither acknowledged nor recorded, as herein provided, such lease or sub-lease shall,
notwithstanding the provisions of this section, be valid and
binding, and of full force and effect both at law and in
equity, between the original parties to such lease. All such
deeds shall be acknowledged before some one of the officers
named in sections [four, five, six and seven of this Article]
10, 11 and 12 of Article 18, and any unmarried woman be-
tween the age of eighteen years and twenty-one years, shall
have power to make a deed of trust of her property, real,
personal, or mixed; provided, the same shall be approved
and sanctioned by a court having equity jurisdiction in the
city or county where the grantor resides, upon the petition
of said grantor, and such proof as the court in its discretion
may require.

SEC. 2. And be it further enacted, That Sections 1 to 8,
inclusive, of Article 18 of the Annotated Code of Maryland
(1951 Edition) title “Acknowledgments,” be and they are
hereby repealed and that Sections 11, 17(b) and 18 of said
Article 18 (1951 Edition), sub-title “Uniform Acknowl-
edgments Act,” be and they are hereby repealed and re-
lected, with amendments, and that a new section be and
it is hereby added to said Article 18, said new section to be
known as Section 18A, to follow immediately after Section
18 of said Article, and all to read as follows:

11. (Acknowledgment Within the United States.) The
acknowledgment of any instrument may be made without
the State but within the United States or a territory or
insular possession of the United States or the District of
Columbia [or the Philippine Islands] and within the juris-
diction of the officer, before:

(1) A Clerk or Deputy Clerk of any Federal Court;
(2) A Clerk or Deputy Clerk of any court of record of
any State or other jurisdiction;
(3) A Notary Public.

17. (Authentication of Acknowledgments.)

(b) If the acknowledgment is taken without this State,
but in the United States, a territory or insular possession of
the United States, or the District of Columbia [or
the Philippine Islands, the certificate shall], no authentication
shall be necessary. The certificate may, however, be au-
thenticated by a certificate as to the official character of
such officer, executed, if the acknowledgment is taken by
a Clerk or Deputy Clerk of a court, by the presiding judge
of the court, or, if the acknowledgment is taken by a Notary
Public, by a Clerk of a Court of Record of the County,
Parish or District in which the acknowledgment is taken.
The signature to such authenticating certificate may be a
facsimile printed, stamped, photographed or engraved
thereon when the certificate bears the seal of the authen-
ticating officer.

18. (Acknowledgments Under Laws of Other States.)
Notwithstanding any provision in this sub-title contained,
the acknowledgment of any instrument without this State
in compliance with the manner and form prescribed by
the laws of the place of its execution, if in a State, a Terri-
tory or insular possession of the United States, or in the
District of Columbia, [or in the Philippine Islands,] veri-

fied by the official seal of the officer before whom it is
acknowledged, [and authenticated in the manner provided}
by Section 17, Sub-section (b), hereof, shall have the same effect as an acknowledgment in the manner and form prescribed by the laws of this State for instruments executed within the State.

18A. (Acknowledgments by Persons Serving in or with the Armed Forces of the United States and their respective spouses Within or Without the United States.) In addition to the acknowledgment of instruments in the manner and form and as otherwise authorized by this sub-title, any person serving in or with the armed forces of the United States and their respective spouses may acknowledge the same wherever located before any commissioned officer in active service of the armed forces of the United States with the rank of Second Lieutenant or higher in the Army or Marine Corps, or Ensign or higher in the Navy or United States Coast Guard. The instrument shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officers' certificate of acknowledgment shall be required but the officer taking the acknowledgment shall indorse thereon or attach thereto a certificate substantially in the following form:

On this the ___________day of __________, 19________, before me, ________________, the undersigned officer, personally appeared ________________, known to me (or satisfactorily proven) to be serving in or with the armed forces of the United States or the spouse of such person and to be the person whose name is subscribed to the within instrument and acknowledged that _______________ executed the same for the purposes therein contained. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the Armed Forces of the United States.

__________________________________________
Signature of Officer
__________________________________________
Rank of Officer and Command to which attached

SEC. 3. And be it further enacted, That Section 9 of Article 21 of the Annotated Code of Maryland (1951 Edition), title “Conveyancing,” sub-title “Conveyances in General,” be and it is hereby transferred and added to Article 18 of the Annotated Code of Maryland (1951 Edition), title “Acknowledgments,” said section to be known as Section 22 and to follow immediately after Section 21 of said Article.

SEC. 4. And be it further enacted, That any legal instrument which has been properly acknowledged within the two years next preceding June 1, 1953, according to the laws and practices then existing, shall not be construed to be defective or wrongfully acknowledged by reason of any provision contained in this Act, but the same shall be construed and treated as properly acknowledged for all the purposes of this Act.

SEC. 5. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended by the Legislative Council following its study of House Bill No. 56 which failed in the 1952 session. The bill would set up within the Alcoholic Beverages Division of the Comptroller's Office a Special Enforcement Unit to assist in the enforcement of the alcoholic beverages laws. The particular problem at which the bill is aimed is the enforcement of laws against illegal importation, illegal manufacture and illegal transportation of alcoholic beverages in Maryland. It is felt that present enforcement procedures concentrate on offenses committed by persons licensed to handle alcoholic beverages but do not provide for the illegal handling of alcoholic beverages by persons who are not licensed. This bill would set up an enforcement unit which would be empowered to consult and cooperate with all other police officers in the State.

Item No. 93

A BILL

ENTITLED

AN ACT to add a new section to Article 2B of the Annotated Code of Maryland (1951 Edition), title "Alcoholic Beverages," said new section to be known as Section 179A, to follow immediately after Section 179 thereof and to be under the sub-title "Enforcement," establishing an Enforcement Unit under the Comptroller and within the Alcoholic Beverages Division for the general enforcement of certain of the alcoholic beverages laws and relating to the employees, powers and duties of the said Enforcement Unit.

WHEREAS, the alcoholic beverages laws of this State leave several notable gaps in the possibilities for effective tax collections; and

WHEREAS, one of the enforcement possibilities which is missing from the present laws is that there is no close control of the illegal importation into this State of alcoholic beverages upon which no Maryland tax has been paid; and

WHEREAS, another possibility for improvement in the alcoholic beverages laws would be a closer control over the illicit manufacture of alcoholic beverages; and

WHEREAS, the present alcoholic beverages laws provide effective law enforcement as to licensed persons but make it somewhat difficult to enforce the law against persons who are not licensed dealers or manufacturers; and

WHEREAS, there is need for a Maryland Alcohol Tax Enforcement Unit which on a State-wide level would concentrate upon these present defects in the alcoholic beverages laws; now, therefore

SECTION 1. Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 2B of the Annotated Code of Maryland (1951 Edition), title "Alcoholic Beverages," said new section to be known as Section 179A, to follow immediately after Section
179 thereof, to be under the sub-title "Enforcement," and
to read as follows:

179. (a) There shall be a special Maryland Alcohol
Tax Enforcement Unit under the Comptroller and within
the Alcoholic Beverages Division, with such officers and
employees as may be provided for in the budget from time
to time.

(b) The officers and employees of the Maryland Alcohol
Tax Enforcement Unit shall be sworn police officers and
shall have all the powers, duties and responsibilities of
peace officers for the enforcement of the provisions of this
Article having to do generally with (1) the illegal importa-
tion of alcoholic beverages into this State; (2) the illegal
manufacture of alcoholic beverages in this State; (3) the
transportation and/or distribution throughout this State
of alcoholic beverages which were manufactured illegally
and/or on which any alcoholic beverage taxes imposed by
this State are due and illegally unpaid; and (4) the manu-
facture, sale, barter, transportation, distribution or other
form of owning, handling or dispersing alcoholic bever-
ages by any person, persons, associations or corporation
not licensed or authorized therefor under the provisions of
this Article. They are authorized and empowered, from time
to time to make cooperative arrangements for and to work
and cooperate with the various State's Attorneys, sheriffs,
constables, bailiffs, police and other prosecuting and peace
officers of every sort, in order to enforce the provisions of
this Article and as provided in this section.

(c) The Enforcement Unit shall consult and advise with
the several State's Attorneys and other law enforcement
officials and police officers as to enforcement problems in
their respective jurisdictions, and may make suggestions
and recommendations for changes to improve the execution
and administration of the provisions of this Article.

Sec. 2. And be it further enacted, That this Act shall
take effect July 1, 1953.
Explanation

This bill is recommended by the Legislative Council following its study of House Bill No. 73 of 1952. House Bill 73 failed in the Senate Judicial Proceedings Committee and this committee recommended its further study by the Council. The bill would amend the Constitution to provide that at the thirty-day sessions in odd years, no legislation should be considered except that having to do with the budgetary, revenue and financial matters of the State Government. An exception is provided in the bill, whereby if the Governor deems any other type of bill to be of a sufficiently emergency nature, he may so declare by proclamation. In such event, if either house of the General Assembly by a majority of three-fourths of its elected members approves the introduction of the bill therein, the Legislature may proceed to consider any other such bill.

Item No. 40

A BILL

ENTITLED

AN ACT to propose an amendment to Section 15 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department", relating to legislation which may be considered at the regular thirty-day sessions of the General Assembly and correcting an error therein.

SEC. 1. Be it enacted by the General Assembly of Maryland, (Three-fifths of all the members elected to each of the two Houses concurring), That the following be and the same is hereby proposed as an amendment to Section 15 of Article 3 of the Constitution of the State of Maryland, title "Legislative Department," the same, if adopted by the legally qualified voters of the State, as herein provided, to become Section 15 of Article 3 of the Constitution of the State of Maryland:

SEC. 15. The General Assembly may continue its session so long as in its judgment the public interest may require, for a period not longer than ninety days in odd years and thirty days in even years; and on and after January 1, 1949, each member thereof shall receive a compensation of Eighteen Hundred Dollars ($1,800.00) per annum, payable quarterly, with a deduction of Fifteen Dollars ($15.00) per diem for each day of unexcused absence from any session; and he shall also receive such mileage as may be allowed by law, not exceeding twenty cents per mile; and the presiding officers of each House shall receive an additional compensation of Two Hundred and Fifty Dollars ($250) per annum. In any of said thirty-day sessions in even years, the General Assembly except as otherwise provided herein shall consider no bills other than [1] Bills having to do with budgetary, revenue and financial matters of the State Government, [2] Legislation dealing with an acute emergency, and (3) legislation in the general public welfare. Should the Governor deem that any Bill other than one having to do with the budgetary, revenue and financial matters of the State government is of a sufficient emergency nature to warrant its consideration at a regu-
and this Bill then may be considered by the two Houses of the General Assembly, if in each House a majority of three-fourths of the elected members approves the introduction of the Bill therein. When the General Assembly shall be convened by Proclamation of the Governor, the session shall not continue longer than thirty days, but no additional compensation other than mileage and other allowances provided by law shall be paid members of the General Assembly for special session.

SEC. 2. And be it further enacted, That said foregoing section hereby proposed as an amendment to the Constitution of the State of Maryland shall, at the next general election to be held in November, 1954, be submitted to the legal and qualified voters of the State, for their adoption or rejection, in pursuance of the directions contained in Article 14 of the Constitution of the State of Maryland, and at the said general election the vote on the said proposed amendment to the Constitution shall be by ballot and upon each ballot there shall be printed the word “For the Constitutional Amendment,” and “Against the Constitutional Amendment,” as now provided by law, and immediately after said election due returns shall be made to the Governor of the vote for and against the said proposed amendment, as directed by said Fourteenth Article of the Constitution, and further proceedings had in accordance with said Article.
Explanation

This bill is recommended by the Commission on Administrative Reorganization, generally known as the Sobeloff Commission. It would add a new article to the State Constitution to provide home rule for all municipalities other than Baltimore City. The proposed constitutional amendment would prohibit the State enactment of local legislation relating to municipalities, except as to maximum limits on local property taxes and debt. These latter two subjects would be open to the lawmaking power of the General Assembly. All municipal corporations would be authorized to amend their charters or adopt new ones. The General Assembly would retain the authority to regulate municipal government through general laws, and no local charter, charter amendment or municipal ordinance could be in conflict with State laws.

(Item No. 55A(1))

A BILL

ENTITLED

AN ACT to propose an amendment to the Constitution of Maryland by adding a new Article thereto, to be known as Article 11-E under the title "Municipal Corporations," and to follow immediately after Article 11-D thereof, generally prohibiting the enactment by the General Assembly of local laws relating to municipal corporations other than Baltimore City, with certain exceptions, and conferring powers of charter amendment and home rule upon such municipal corporations.

SECTION 1. Be it enacted by the General Assembly of Maryland, (Three-fifths of all the members of each of the two Houses concurring), That the following Article, to follow immediately after Article 11-D, and to be known as Article 11-E, be and the same is hereby proposed as an amendment to the Constitution of Maryland, which Article, if adopted by the qualified voters of the State of Maryland, as herein provided, shall thereby, by such adoption, be and become a part of the Constitution of Maryland:

ARTICLE 11-E

MUNICIPAL CORPORATIONS

SECTION 1. Except as provided elsewhere in this Article, the General Assembly shall not pass any law relating to the incorporation, organization, government, or affairs of municipal corporations which will be special or local in its terms or in its effect, but the General Assembly shall act in relation to the incorporation, organization, government, or affairs of any municipal corporation only by general laws which shall in their terms and in their effect apply alike to all municipal corporations in one or more of the classes provided for in Section 2 of this Article. It shall be the duty of the General Assembly to provide by law the method by which new municipal corporations shall be formed. Nothing contained in this Article shall apply to the City of Baltimore.
SEC. 2. The General Assembly, by law, shall classify all municipal corporations by grouping them into not more than four classes based on population as determined by the most recent census made under the authority of the United States or the State of Maryland. No more than one such grouping of municipal corporations into four (or fewer) classes shall be in effect at any time, and the enactment of any such grouping of municipal corporations into four (or fewer) classes shall repeal any such grouping of municipal corporations into four (or fewer) classes then in effect. Municipal corporations shall be classified only as provided in this section and not otherwise.

SEC. 3. Any municipal corporation, now existing or hereafter created, shall have the power and authority, (a) to amend or repeal an existing charter or local laws relating to the incorporation, organization, government, or affairs of said municipal corporation heretofore enacted by the General Assembly of Maryland, and (b) to adopt a new charter, and to amend or repeal any charter adopted under the provisions of this Article.

SEC. 4. The adoption of a new charter, the amendment of any charter or local laws, or the repeal of any part of a charter or local laws shall be proposed either by a resolution of the legislative body of a municipal corporation or by a petition containing the signatures of at least five percent of the registered voters of a municipal corporation and filed with the legislative body of said municipal corporation. The General Assembly shall amplify the provisions of this section by general law in any manner not inconsistent with this Article.

SEC. 5. Notwithstanding any other provision in this Article, the General Assembly may enact, amend, or repeal local laws placing a maximum limit on the rate at which property taxes may be imposed by any municipal corporation and regulating the maximum amount of debt which may be incurred by any municipal corporation. However, no such local law shall become effective in regard to a municipal corporation until and unless it shall have been approved at a regular or special municipal election by a majority of the voters of that municipal corporation voting on the question. All charter provisions enacted under the authority of Section 3 of this Article shall be subject to any local laws enacted by the General Assembly and approved by the municipal voters under the provisions of this section.

SEC. 6. All charter provisions, or amendments thereto, adopted under the provisions of this Article, shall be subject to all applicable laws enacted by the General Assembly; except that any local laws, or amendments thereto, relating to the incorporation, organization, government, or affairs of any municipal corporation and enacted before this Article becomes effective, shall be subject to any charter provisions, or amendments thereto, adopted under the provisions of this Article. Any local law, or amendments thereto, relating to the incorporation, organization, government, or affairs of any municipal corporation and in effect at the time this Article becomes effective, shall be subject to any applicable State law enacted after this
Article becomes effective. All laws enacted by the General Assembly and in effect at the time this Article becomes effective, shall remain in effect until amended or repealed in accordance with the provisions of this Constitution.

SEC. 2. And be it further enacted, That the foregoing Article hereby proposed as an amendment to the Constitution of Maryland, shall, at the election to be held in November, 1954, be submitted to the qualified voters of the State of Maryland for their adoption or rejection in pursuance of the directions contained in Article XIV of the Constitution of Maryland, and at the said general election the vote on the proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be printed the words "For Constitutional Amendment" and "Against Constitutional Amendment," as now provided by law, and immediately after said election due returns shall be made to the Governor of the vote for and against said proposed amendment, as directed by Article XIV of the Constitution and further proceedings had in accordance with said Article XIV.
Explanation

This bill was recommended to the Legislative Council in 1952, as House Bill No. 22. It would amend the Constitution to change the manner of acting on bills vetoed following the adjournment of the General Assembly. At the present time, by a constitutional provision adopted in 1950, all such bills are returned to the House of origin at the regular or special session next following, for a vote on overriding the veto. This can mean a delay of nearly a year in the final consideration of the vetoed bills, as occurred following the 1951 and 1952 sessions. More seriously, when an election is held during the interim, it can mean that a new General Assembly and perhaps a new Governor will be in office, to re-consider bills acted upon and vetoed by officials no longer in office. The present bill would provide instead that the General Assembly would automatically convene in special session about six weeks following adjournment, for the sole purpose of acting upon vetoed bills. The bill also incorporates into the Constitution the substance of House and Senate Rules No. 59, in order that the time of presentation of bills to the Governor will not be left to mere legislative rule; otherwise it would be possible simply by amending the rules to defeat the workings of the new system of acting upon vetoes.

Item No. 56

A BILL

ENTITLED

AN ACT to propose amendments to Section 17 of Article 2 of the Constitution of the State of Maryland, title “Executive Department,” and to Section 30 of Article 3 of said Constitution, title “Legislative Department,” requiring the General Assembly to convene in special session for the sole purpose of considering vetoed bills and relating generally to the procedure to be followed as to such bills.

1 Section 1. Be it enacted by the General Assembly of Maryland, (Three-fifths of all the members elected to each of the two Houses concurring), That the following be and the same are hereby proposed as amendments to Section 17 of Article 2 of the Constitution of the State of Maryland, title “Executive Department,” and to Section 30 of Article 3 of said Constitution, title “Legislative Department,” the same, if adopted by the legally qualified voters of the State, as herein provided, to become Section 17 of Article 2 and Section 30 of Article 3 of the Constitution of the State of Maryland:

17. To guard against hasty or partial legislation and encroachments of the Legislative Department upon the coordinate Executive and Judicial Departments, every Bill which shall have passed the House of Delegates, and the Senate shall, before it becomes a law, be presented to the Governor of the State; if he approves he shall sign it, but if not he shall return it with his objections to the House in which it originated, which House shall enter the objections at large on its Journal and proceed to reconsider the Bill; if, after such reconsideration, three-fifths of the members elected to that House shall pass the Bill, it shall be sent with the objections to the other House, by which it
shall likewise be reconsidered, and if it pass by three-fifths of the members elected to that House it shall become a law; but in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the Governor within six days (Sundays excepted), after it shall have been presented to him, the same shall be a law in like manner as if he signed it, unless the General Assembly shall, by adjournment, prevent its return, in which case it shall not be a law. Any bill which is vetoed by the Governor following the adjournment of the General Assembly, or any bill which fails to become a law by reason of not having been signed by the Governor following the adjournment of the General Assembly, shall be returned to the House in which it originated, immediately after said House shall have organized at the next regular or special session of the General Assembly. Said bill may then be reconsidered according to the procedure specified hereinaabove. If the bill is passed over the veto of the Governor, it shall take effect on June 1 following, unless the bill is an emergency measure to take effect when passed.] The General Assembly shall convene in special session, without call or proclamation, at twelve o'clock noon on the third Wednesday in May in every year following a regular ninety-day session, and at twelve o'clock noon on the third Wednesday in April in every year following a regular thirty-day session, if any bill or bills have been vetoed by the Governor following the adjournment of the General Assembly at any such session, or if any bill or bills have failed to become law by reason of not having been signed by the Governor following the adjournment of the General Assembly at any such regular session. Such special session of the General Assembly shall convene for the sole purpose of reconsidering such bill or bills, in the manner provided hereinaabove in this section. When the General Assembly has so reconvened in special session, the Governor shall return to the House in which it originated, every such bill which he has vetoed following the adjournment of the General Assembly, and every such bill which has failed to become law by reason of not having been signed following the adjournment of the General Assembly, together with his objections, for reconsideration as provided hereinaabove. Any bill which shall be passed by three-fifths of the members elected to each House shall become a law. Any bill passed over the veto of the Governor which by its terms was to take effect on the first day of June following, or subsequent thereto, shall become effective at the stated time. Any bill passed over the veto of the Governor which by its terms was to take effect from the date of its passage shall become effective immediately upon passage over the veto. Any bill passed over the veto of the Governor which by its terms was to take effect on a specified day prior to the day on which it is passed over the veto of the Governor shall become effective immediately upon passage over the veto; but if such a bill contains a specific provision directing or requiring the doing of some act or thing at a specified time prior to the day it is passed over the Governor's veto, it shall not become a law.

The Governor shall have power to disapprove of any item or items of any Bills making appropriations of money embracing distinct items, and the part or parts of the Bill
approved shall be the law, and the item or items of appro-
priations disapproved shall be void unless repassed accord-
ing to the rules or limitations prescribed for the passage
of other Bills over the Executive veto.

30. Every bill, when passed by the General Assembly,
and sealed with the Great Seal, shall be presented to the
Governor [who]. The Chief Clerks of the Senate and
House of Delegates shall date every bill originating in the
Senate and House, respectively, seal it with the Great Seal,
and present it to the Governor for his approval, within
seven days, excluding Sundays, after final passage by the
General Assembly. Provided, however, that bills passed
from the eighty-first to the ninetieth days of a regular
ninety-day session may be dated, sealed and presented to
the Governor after the adjournment of the General As-
sembly, but in no event later than the first day of May
following such adjournment; and bills passed from the
twenty-first to the thirtieth days of a regular thirty-day
session may be dated, sealed and presented to the Governor
after the adjournment of the General Assembly, but in no
event later than the first day of April following such ad-
jourment. The Governor, if he approves it, shall sign the
same in the presence of the presiding officers and chief
clers of the Senate and House of Delegates. Every law
shall be recorded in the office of the Court of Appeals, and
in due time be printed, published and certified under the
Great Seal, to the several courts, in the same manner as
has been heretofore usual in this State.

And be it further enacted, That said foregoing
sections hereby proposed as an amendment to the Constitu-
tion of the State of Maryland shall, at the next general
election to be held in November, 1954, be submitted to the
legal and qualified voters of the State, for their adoption
or rejection, in pursuance of the directions contained in
Article 14 of the Constitution of the State of Maryland,
and at the said general election the vote on the said pro-
posed amendment to the Constitution shall be by ballot,
and upon each ballot there shall be printed the words “For
the Constitutional Amendment,” and “Against the Consti-
tutional Amendment,” as now provided by law, and im-
mediately after said election due returns shall be made to
the Governor of the vote for and against the said proposed
amendment, as directed by said Fourteenth Article of the
Constitution, and further proceedings had in accordance
with said Article.
Explanation
This bill was recommended by the Sheriff of Baltimore City. It would remove from the State Constitution the present provisions which specify the amount of the Sheriff's salary. All other sheriffs in the State have their compensation fixed by the General Assembly, and this constitutional amendment would place the Sheriff of Baltimore City in the same category.

The bill also clarifies the provisions of the section of the Constitution to be amended and removes some duplicating provisions therefrom.

Item No. 74

A BILL
ENTITLED

AN ACT to propose an amendment to Section 44 of Article 4 of the Constitution of Maryland, title "Judiciary Department," providing that the Sheriff of Baltimore City shall receive such salary as may be fixed by law, clarifying the provisions of said section and removing certain duplicating provisions therefrom.

SECTION 1. Be it enacted by the General Assembly of Maryland, (Three-fifths of all members elected to each of the two Houses concurring), That the following be and the same is hereby proposed as an amendment to Section 44 of Article 4 of the Constitution of Maryland, title "Judiciary Department," the same, if adopted by the legal and qualified voters of the State, as herein provided, to become Section 44 of Article 4 of the Constitution of Maryland:

1. There shall be elected in each county and in Baltimore City in the year 1946 and in every fourth year thereafter, one person, resident in said county, or City, above the age of twenty-five years and at least five years preceding his election, a citizen of the State, to the office of Sheriff. He shall hold office for four years, and until his successor is duly elected and qualified; shall give such bond, exercise such powers and perform such duties as now are or may hereafter be fixed by law.

2. In the City of Baltimore at the general election to be held in the year 1946 and every four years thereafter, there shall be elected in said City of Baltimore, one person who shall be a resident of said city, above the age of twenty-five years, and who shall have been at least five years preceding his election a citizen of this State, to the office of Sheriff. He shall hold office for four years, and until his successor is duly elected and qualified; shall be eligible for re-election; shall give such bond, exercise such powers and perform such duties as now are or may hereafter be fixed by law.

3. In case of vacancy by death, resignation, refusal to serve, or neglect to qualify, or give bond, or by disqualifi-
cancellation or removal from the County or City, the Governor shall appoint a person to be Sheriff for the remainder of the official term.

The Sheriff in each county and in Baltimore City shall receive such salary or compensation and such expenses necessary to the conduct of his office as may be fixed by law; provided, that the salary of the Sheriff of Baltimore City shall be Seven Thousand Five Hundred Dollars ($7,500.00) per year. All fees collected by the Sheriff shall be accounted for and paid to the Treasury of the several counties and of Baltimore City, respectively.

SEC. 2. And be it further enacted, That the foregoing section hereby proposed as an amendment to the Constitution of this State shall be, at the next general election to be held in this State in the year 1954, submitted to the legal and qualified voters thereof, for their adoption or rejection in pursuance of directions contained in Article 14 of the Constitution of this State, and at the said general election, the vote on the said proposed amendment shall be by ballot, and upon each ballot there shall be printed the words "For the Constitutional Amendment" and "Against the Constitutional Amendment," as now prescribed by law, and immediately after said election, due returns shall be made to the Governor of the vote for and against said proposed amendment as directed by said Article 14 of the Constitution, and further proceedings had in accordance with said Article Fourteen.
Explanation

This bill is similar to House Bill No. 23 of 1952, which was recommended by the Legislative Council and failed to pass. The bill had originally been proposed by Mr. Charles McC. Mathias, Jr., a member of the Bar of Frederick County. It would repeal a section of the laws concerning stays of execution to which defendants are declared to be entitled. This section is no longer followed by the Courts, and its being continued on the statute books is the cause of difference of opinion as to whether, and in what instances, it has any applicability. It is the suggestion of Mr. Mathias that this subject could be referred to the Court of Appeals to be handled by Rule, if some written provisions are deemed necessary.

Item No. 58.

A BILL

ENTITLED

AN ACT to repeal Section 23 of Article 26 of the Annotated Code of Maryland (1951 Edition), title “Courts,” sub-title “Judgments,” said section relating to stay of execution in cases of judgments rendered at the second term after defendant had been summoned until the next ensuing term.

1 WHEREAS, the provisions of said section seem to be based on a legal practice no longer generally followed by the courts, thereby resulting in considerable confusion and difference of opinion as to its application to any particular type of judgment; and

2 WHEREAS, there would seem to be no need for continuing the provisions of said section; now therefore

1 SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 23 of Article 26 of the Annotated Code of Maryland (1951 Edition), title “Courts,” sub-title “Judgments,” be and it is hereby repealed.

1 Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
This bill is recommended by the Legislative Council following a proposal advanced by Senator John Grosvenor Turnbull of Baltimore County. Senator Turnbull's recommendation was that all court judges on the justices of the peace level should be prohibited from practicing law before any other State justice.

Several days prior to Senator Turnbull's recommendation, Magistrate Harry Leeward Katz of Baltimore City had criticised the practice of magistrates trying cases before other magistrates and following the recommendation from Senator Turnbull, Governor McKeldin also endorsed the proposal that magistrates should be prohibited from practicing before other magistrates.

The bill which is recommended by the Legislative Council broadens the scope of an act passed in the 1949 Session of the General Assembly which made it unlawful for any trial magistrate to appear as counsel in any case before another trial magistrate in the same county. The bill being recommended would repeal that part of the law enacted in 1949 and make it generally applicable to all judges on the Justice of the Peace level.

(Item No. 129)

A BILL

ENTITLED

AN ACT to repeal Sub-section (a) of Section 113 of Article 52 of the Annotated Code of Maryland (1951 Edition), title "Justices of the Peace", sub-title "Trial Magistrates System", said sub-section making it unlawful for any trial magistrate to appear as counsel in any case before another trial magistrate in the same county; and to add a new section to said Article 52, said new section to be known as Section 89A, to follow immediately after Section 89 thereof and to be under the new sub-title "Practice of Law by Justices", providing that it shall be unlawful for any justice of the peace, whether known as a trial magistrate, committing magistrate, police magistrate, traffic court magistrate, justice of the peace or otherwise, to appear as counsel in any case before any other such official in Baltimore City or in the same county, as the case may be.

1 SECTION 1. Be it enacted by the General Assembly of Maryland, That Sub-section (a) of Section 113 of Article 52 of the Annotated Code of Maryland (1951 Edition), title "Justices of the Peace", sub-title "Trial Magistrates System", be and it is hereby repealed and that a new section be and it is hereby added to said Article 52, said new section to be known as Section 89A, to follow immediately after Section 89 thereof, to be under the new sub-title "Practice of Law by Justices", and to read as follows:

PRACTICE OF LAW BY JUSTICES

1 89A. It shall be unlawful for any justice of the peace in Baltimore City or one of the counties, whether known as a justice of the peace, trial magistrate, committing magistrate, police magistrate, traffic court magistrate or otherwise, to appear as counsel in any case before another justice of the peace by whatever name generally known in the
same political sub-division, whether it be Baltimore City or one of the counties.

Any person convicted of a violation of this section shall be deemed guilty of a misdemeanor and shall be punishable on conviction in the circuit court of the county or in the Supreme Bench of Baltimore City, as the case may be, by a fine of not more than Five Hundred Dollars ($500). The State's Attorney of the county or of Baltimore City, as the case may be, shall be charged with the enforcement of this section.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill was recommended by the Hon. Hall Hammond, former Attorney General. It would eliminate the requirement of individually indexing each book of the land and chattel records kept by the courts. Mr. Hammond pointed out that there is a general index of grantors and grantees, so that it is unnecessary to have a separate index for each book of these records.

(Item No. 114)

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 63 of Article 17 of the Annotated Code of Maryland (1951 Edition), title “Clerks of Courts”, sub-title “Clerks of Circuit Courts”, eliminating the provisions of said section relating to individual indexes in each of the several books containing Land Records and Chattel Records.

1 WHEREAS, Section 63 of Article 17 of the Annotated Code requires that each volume in which clerks of the courts record land records shall contain an index of the names of all parties to the instruments recorded therein; and

5 WHEREAS, this would seem to be an unnecessary and duplicating procedure since these records are fully indexed in a general alphabetical index, containing the names of both grantors and grantees; and

9 WHEREAS, it would save considerable money in the offices of the several clerks of courts if these separate indexes were no longer kept; now therefore

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 63 of Article 17 of the Annotated Code of Maryland (1951 Edition), title “Clerks of Courts”, sub-title “Clerks of Circuit Courts”, be and it is hereby repealed and re-enacted, with amendments, to read as follows:

63. The Clerks of the Circuit Courts for the several counties and the Superior Court of Baltimore City shall record all deeds, mortgages and other instruments affecting the title to or any interest in land, required to be recorded, in a well-bound book or books to be styled “Land Records”; and shall record all bills of sale, chattel mortgages and other instruments affecting the title to or any interest in personal property, required to be recorded, in another well-bound book or books to be styled “Chattel Records”; any such instrument affecting the title to or any interest in both land and personal property shall be so recorded
in such Land Records only, and not in such Chattel
Records, but in such case, the index of Chattel Records
and the general alphabetical index provided for in Section
67 of this Article, shall include a notation that such instru-
ment has been recorded among such Land Records, and
such notation in such indexes shall have the same effect
as if such instrument were recorded in full among such
Chattel Records; any instrument of sale reserving title to
or a lien on any item of furnishing or equipment which the
clerk is advised is or is to be affixed to particular real
property, which real property shall be sufficiently described
in the instrument for identification purposes, shall be so
recorded in such Chattel Records only in the same manner
as other similar documents relating to Chattels, but in
such case, if an interested party shall so request, the index
of Land Records and the general alphabetical index pro-
vided for in Section 67 of this Article, shall include a
notation that such instrument has been recorded among
such Chattel Records, and such notation in such indexes
shall have the same effect as if such instrument were re-
corded in full among such Land Records; all of which
books shall be provided by said clerks and each of which
books shall contain an alphabetical index of the names of
all parties to such instruments of writing as are recorded
therein; provided that they shall not be required to record
or receive for recording, any deed, mortgage, bill of sale,
chattel mortgage, or other instrument of writing, unless
the fees for recording the same as regulated by law shall
first be paid by the person offering the same for record.

SEC. 2. And be it further enacted, That this Act shall
take effect June 1, 1953.
Explaination

This bill was recommended to the Legislative Council by Senator John Grason Turnbull of Baltimore County. It would require that in any jury case in which the court has delivered a charge on the law, counsel for the litigants be given an opportunity to express any objections to the charge out of the presence of the jury. The present practice is either that the objection be stated in the presence of the jury or that counsel will be called to the bench and discuss the matter in undertones. Senator Turnbull recommends that neither of these procedures is satisfactory and it would be better that the jury be temporarily discharged from the presence of the counsel in the case.

(Item No. 101)

A BILL

ENTITLED

AN ACT to add a new section to Article 75 of the Annotated Code of Maryland (1951 Edition), title "Pleadings, Practice and Process at Law," said section to be known as Section 61A, to follow immediately after Section 61 thereof and to be under the sub-title "Charge to Jury," requiring that after the court has delivered a charge to the jury, the court shall temporarily discharge the jury in order to give counsel an opportunity to express objections to the charge out of the presence and hearing of the jury.

1 SECTION 1. Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 75 of the Annotated Code of Maryland (1951 Edition), title "Pleadings, Practice and Process at Law," said section to be known as Section 61A, to follow immediately after Section 61 thereof, to be under the sub-title "Charge to Jury," and to read as follows:

CHARGE TO JURY

1 61A. In all cases tried before a jury, after the court has delivered to the jury a charge on the law of the case, the court shall temporarily discharge the jury from the presence of the counsel and litigants, in order to give counsel and litigants an opportunity to express objections to the charge out of the presence and hearing of the jury.

1 SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill was originally recommended by the Legislative Council as House Bill No. 7 of 1952. Its recommendation followed the Council's inquiry into conditions of crime and law enforcement in the State. The bill would set up a new bureau within the State Police to compile and act as a clearing house for the records of criminal convictions in this State, including fingerprints of those sentenced to imprisonment. Such a proposal was made to the Legislative Council by a number of local enforcement officials as a means for improving the administration of criminal laws by having such records compiled on a State-wide basis.

(Item No. 20(5))

A BILL

ENTITLED

AN ACT to add a new section to Article 88B of the Annotated Code of Maryland (1951 Edition), title "State Police," said new section to be known as Section 62, to follow immediately after Section 61 of said Article and to be under the new sub-title "Bureau of Criminal Records," establishing within the Department of State Police a Bureau of Criminal Records to compile and act as a clearing house for the records of criminal convictions in this State and relating generally to the powers of such bureau and to the use of such records.

SECTION 1. Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 88B of the Annotated Code of Maryland (1951 Edition), title "State Police," said new section to be known as Section 62, to follow immediately after Section 61 of said Article, to be under the new sub-title "Bureau of Criminal Records" and to read as follows:

BUREAU OF CRIMINAL RECORDS

62. (a) There is hereby created within the Department of Maryland State Police a Bureau for Criminal Records, to be under the direction and supervision of the Superintendent of State Police and to have such personnel, with such compensation, as may be provided in the Budget from time to time.

(b) The Clerk of every Court in this State having jurisdiction in criminal causes, the Clerk of every Court having jurisdiction in juvenile causes, every Magistrate for Juvenile Causes, every Magistrate, and every Justice of the Peace, having jurisdiction over criminal offenses or causes, shall report within forty-eight hours thereof to the said Bureau a record of every conviction in any such court or tribunal, involving any offense under the laws of this State except those specified in Article 66½ of the Annotated Code and relating to the driving or other use of motor vehicles.
Sec. 1. The said Bureau, or any transcript or summary thereof, shall not be publicized or divulged by any person, court or other agency, except as part of and pertinent to some judicial or quasi-judicial proceedings.

Sec. 2. And be it further enacted, That this Act shall take effect July 1, 1953.
This bill is recommended by the Prisoners Aid Association of Maryland. It would eliminate the penalty of whipping or lashing for the offense commonly known as wife-beating. This is now the only offense in Maryland law for which the penalty of whipping or lashing may be inflicted. It was common practice during medieval times to provide the infliction of physical pain as a form of punishment for crime but now only the one such crime remains in Maryland law. It is the recommendation of the Prisoners Aid Association that whipping runs contrary to modern concepts of criminal justice.

(Item No. 136)

A BILL
ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 12 of Article 27 of the Annotated Code of Maryland (1951 Edition), title "Crimes and Punishments", sub-title "Assault on Wife", and to repeal Section 13 of said Article and sub-title, eliminating whipping or lashing as a form of punishment for the offense commonly known as wife-beating.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 12 of Article 27 of the Annotated Code of Maryland (1951 Edition), title "Crimes and Punishments", sub-title "Assault on Wife", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

12. Any person who shall brutally assault and beat his wife shall be deemed guilty of a misdemeanor, and upon presentment and conviction thereof by any court of competent jurisdiction shall be sentenced to a fine not exceeding $500 or imprisonment for a term not exceeding one year, or both, in the discretion of the court.

SEC. 2. And be it further enacted, That Section 13 of said Article and sub-title be and it is hereby repealed.

SEC. 3. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended as a result of a proposal made to the Council by the State's Attorney of Baltimore City. He pointed out that when a case involves a manslaughter by motor vehicle in Baltimore City, the manslaughter part of the charge is handled in the Criminal Court, while the attendant violations of the motor vehicle laws are taken up in a separate trial before the Traffic Court. The State's Attorney recommended that all the proceedings should be concentrated in one case before the Criminal Court. The bill recommended by the Council would concentrate all the proceedings in one case but it is the recommendation of the Council that original jurisdiction in the case be given to the magistrates of the Traffic Court. This would make the procedure in Baltimore City similar to that in the counties, where original jurisdiction in such cases is with the trial magistrates.

Item No. 97

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 455 of Article 27 of the Annotated Code of Maryland (1951 Edition), title "Crimes and Punishments", sub-title "Manslaughter", and Section 309 of Article 66½ of said Code, title "Motor Vehicles", sub-title "Traffic Court of Baltimore City", eliminating the power of police magistrates of Baltimore City to accept bail for persons charged with the offense of manslaughter by motor vehicles and granting original jurisdiction in such cases to the magistrates of the Traffic Court of Baltimore City for all such cases arising in that political sub-division.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 455 of Article 27 of the Annotated Code of Maryland (1951 Edition), title "Crimes and Punishments", sub-title "Manslaughter", and Section 309 of Article 66½ of said Code, title "Motor Vehicles", sub-title "Traffic Court of Baltimore City", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

455. Every person causing the death of another as the result of the driving, operation or control of an automobile, motor vehicle, motor boat, locomotive, engine, car, street car, train or other vehicle in a grossly negligent manner, shall be guilty of a misdemeanor to be known as "manslaughter by automobile, motor vehicle, motor boat, locomotive, engine, car, street car, train or other vehicles", and the person so convicted shall be sentenced to jail or the House of Correction for not more than three years, or be fined not more than $1,000.00 or be both fined and imprisoned. [The Police Magistrates of the City of Baltimore shall have the power to accept bail for persons charged with the offense created by this section.]

In any indictment or warrant for manslaughter by automobile, motor vehicle, motor boat, locomotive, engine, car, street car, train or other vehicle, it shall not be necessary to set forth the manner and means of death. It shall be
sufficient to use a formula substantially to the following
effect: "That A-B on the..............day of............... nine-
ten hundred and...............at the County (City) aforesaid,
unlawfully, in a grossly negligent manner did kill and
slay C-D".

309. (Jurisdiction.) The Magistrates of the Traffic Court
shall have exclusive jurisdiction within the City of Balti-
more to hear and determine all complaints of violations of
the Motor Vehicle Laws of the State, and shall have ex-
clusive jurisdiction, where jurisdiction now or may here-
after be given to any Justice of the Peace in Baltimore
City to try or commit for trial any person accused of vi-o-
lating the Traffic Ordinances of Baltimore City.

Such magistrates also shall have original jurisdiction
within the City of Baltimore to hear and determine all
cases involving manslaughter by vehicle and arising under
the provisions of Section 455 of Article 27 of the Code.

SEC. 2. And be it further enacted, That this Act shall
take effect June 1, 1953.
Explanation

This bill is recommended by the Director of the Department of Public Welfare in Baltimore City. It would make five changes in the bastardy laws. First, the father of an illegitimate child would be held legally responsible for the child's support until it has reached the age of 18 years rather than the 16 year limitation as at present.

Secondly, the bill would require that the natural father would have a continuing responsibility for support even though he may have served one or more penal sentences for failure to comply with support orders.

Next, the offense would be made extraditable in order that a person who has removed himself to an adjoining State could be returned to Maryland under the extradition laws.

Also, the bill would permit the Court, on petition of the State's Attorney, to approve settlements with the understanding that there would be no further prosecution in such cases as long as the support continued under the terms of the settlement.

Finally, the bill requires that natural fathers shall pay in full all money due on court orders, despite the fact that the child may have reached the maximum age for payments before all moneys due have been paid.

(Item No. 100)

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 8 of Article 12 of the Annotated Code of Maryland (1951 Edition), title "Bastardy and Fornication", generally amending the bastardy laws, relating generally to the orders of the court for maintenance and support of an illegitimate child and providing that the offense of bastardy shall be a crime subject to the laws on extradition.

1 SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 8 of Article 12 of the Annotated Code of Maryland, (1951 Edition), title "Bastardy and Fornication", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

1 (a) Whenever a person accused of bastardy, after proceedings before a justice of the peace or a State's Attorney, shall consent thereto in writing, or whenever upon failure to give such consent such person shall be found guilty, the Court shall issue an order directing such person:

6 (1) to pay for the maintenance and support of said child to the mother, or to the person having said child in custody, or to the county or to the City of Baltimore, as the case may be, if said child be a public charge, until said child reaches the age of eighteen years, or during the life of such child if it should die before reaching the age of eighteen years, such sum as may be agreed upon, if consent proceedings be had, or in the absence of agreement, such sum as the court may fix, with due regard to the circumstances of the accused person. The Court, in its discretion, may also direct payment of the whole or part of the expenses incurred by the mother during her confine-
ment, and the reasonable funeral expenses of the child if it
die under the age of [sixteen] eighteen years, and
(2) to give bond to the State of Maryland in such penalty
as the court may fix, with good and sufficient securities,
conditioned on making the payments required by the
Court's order, or any amendments thereof. Failure to give
such bond shall be punished by commitment in the jail or
the House of Correction until said bond be given, but not
exceeding two years. Upon petition of the mother, State's
Attorney or either of the sureties, the Court may inquire
into said bond at any time, and in its discretion require a
new bond. Also, in lieu of commitment to jail or to the
House of Correction, the Court, pursuant to a petition by
the State's Attorney, may approve a modified and lesser
schedule of payments to be made by the natural father,
such approval to be contingent upon the payments by the
natural father. If at any time and for any reason the
modified payments are not made as required, the Court shall
declare the modified schedule as abrogated and the pay-
ments as required by the original court order shall again
be effective.

(b) Commitment of the natural father of any child to a
jail or the House of Correction for failure to comply with
the order of a Court, as provided for above in this section,
and the consequent serving of any term in jail or the House
of Correction shall not be a bar to a further commitment
for a subsequent failure to comply with the order of the
Court. The responsibility of the natural father to comply
with the order of the Court shall be a continuing one not-
withstanding any previous commitment or commitments
or the consequent serving of any term or terms for failure
to comply with the order.

(c) The order of the Court for the maintenance and sup-
port of any such child shall include a provision that any
moneys due and unpaid to the child at the time he reaches
the maximum age for maintenance and support shall be a
continuing obligation of the natural father enforceable un-
til finally and completely paid under all the provisions of
law applicable to the order of the Court.

(d) Any person accused of bastardy against whom the
Court shall have issued an order under the provisions of
this section shall be guilty of a crime under the provisions
of Sections 15 to 44, inclusive of Article 41 of the Anno-
tated Code, sub-title "Extradition."

SEC. 2. And be it further enacted, That this Act shall
take effect June 1, 1953.
Explanation

This bill is recommended by the Maryland Commissioners on Uniform State Laws following its proposal by the Maryland Commissioners on Uniform State Laws. It attempts to treat the problem of so-called “migratory divorce” whereby residents of one state will purposely take up temporary domicile in another state in order to take advantage of the more lenient or more speedy divorce procedures in the latter state.

The bill provides that any divorce obtained in such other state would be of no effect in this State if both parties to the marriage were domiciled in Maryland at the time the proceeding for divorce was commenced. The bill then adds provisions for what shall constitute proof of domicile.

(Item No. 145)

A BILL

ENTITLED

AN ACT to add Sections 41A to 41D, inclusive, to Article 16 of the Annotated Code of Maryland (1951 Edition), title “Chancery”, said new sections to follow immediately after Section 41 thereof and to be under the new sub-title “Uniform Divorce Recognition Act”, providing that a divorce obtained in another jurisdiction shall be of no force or effect in this State if both parties to the marriage were domiciled in this State at the time the proceeding for the divorce was commenced and relating generally to the recognition of divorces obtained outside this State.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 41A to 41D, inclusive, be and they are hereby added to Article 16 of the Annotated Code of Maryland (1951 Edition), title “Chancery”, said new sections to follow immediately after Section 41 thereof, to be under the new sub-title “Uniform Divorce Recognition Act”, and to read as follows:

UNIFORM DIVORCE RECOGNITION ACT

41A. A divorce from the bonds of matrimony obtained in another jurisdiction shall be of no force or effect in this state, if both parties to the marriage were domiciled in this state at the time the proceeding for the divorce was commenced.

41B. Proof that a person obtaining a divorce from the bonds of matrimony in another jurisdiction was (a) domiciled in this State within twelve months prior to the commencement of the proceeding therefor, and resumed residence in this state within eighteen months after the date of his departure therefrom, or (b) at all times after his departure from this state, and until his return maintained a place of residence within this state, shall be prima facie evidence that the person was domiciled in this state when the divorce proceeding was commenced.
41C. This sub-title shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

41D. This sub-title may be cited as the Uniform Divorce Recognition Act.

Sec. 2. And be it further enacted, That all acts or parts of acts which are inconsistent with provisions of this Act are hereby repealed.

Sec. 3. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended by the Council following a study of House Bill 60 of 1952. House Bill 60 passed the House but died in the Judicial Proceedings Committee of the Senate. This committee asked the Legislative Council to give further consideration to the bill. It would authorize police officers to prove the speed of a motor vehicle by radar devices. The Legislative Council has added to the original House Bill 60 the provision that the highway must be marked so as to show that radar is being employed.

(Item No. 91)

A BILL

ENTITLED

AN ACT to add a new section to Article 35 of the Annotated Code of Maryland (1951 Edition), title “Evidence,” said new section to be known as Section 99, to follow immediately after Section 98 thereof, and to be under the new sub-title “Speed of Motor Vehicles,” authorizing the speed of a motor vehicle to be proved under certain circumstances by means of certain devices employing radio-microwave waves.

SECTION 1. Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 35 of the Annotated Code of Maryland (1951 Edition), title “Evidence,” said new section to be known as Section 99, to follow immediately after Section 98 thereof, to be under the new sub-title “Speed of Motor Vehicles,” and to read as follows:

SPEED OF MOTOR VEHICLES

99. (Proof of Speed by Devices Employing Radio-Micro Waves.) In any legal proceeding of any nature the speed of a motor vehicle may be proved by evidence of a test made upon such vehicle with any device designed to measure and indicate or record the speed of a moving object by means of radio-microwave waves. Such evidence shall not be introduced in any proceedings to enforce motor vehicle speed limits unless the highway or road on which such device was used was clearly marked to such effect.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended by the Legislative Council as a result of the investigation into conditions of crime in this State conducted by a committee of the Council during the summer of 1951. It would authorize the interception of telegraphic and telephonic communications, commonly called "wire-tapping" upon a proper order obtained from a judge. At the same time the bill would provide that any evidence obtained by wire-tapping which has been obtained without securing an authorization by a court shall not be admissible in evidence in any criminal proceedings.

There has been considerable interest in legislation on this subject by reason of the fact that evidence obtained by wire-tapping is not admissible in Federal courts, whereas up to this time it has been admissible in State courts. This bill would continue to allow such evidence to be admitted into State courts but subject to the requirements for obtaining a prior authorization to obtain such evidence.

Item No. 20B

A BILL

ENTITLED

AN ACT to add a new section to Article 35 of the Annotated Code of Maryland (1951 Edition), title "Evidence," said new section to be known as Section 99, to follow immediately after Section 98 thereof and to be under the new sub-title "Wire-tapping," authorizing the interception of telegraphic and telephonic communications upon proper order of a judge of one of the Circuit Courts or of the Supreme Bench of Baltimore City, subject to certain requirements and restrictions, and providing that evidence obtained by the interception of telegraphic and telephonic communications shall be admissible in evidence in certain cases if obtained in conformity with the provisions of this Act, but not otherwise.

SECTION 1. Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 35 of the Annotated Code of Maryland (1951 Edition), title "Evidence," said new section to be known as Section 99, to follow immediately after Section 98 thereof, to be under the new sub-title "Wire-tapping," and to read as follows:

WIRETAPPING

99. (a) An ex parte order for the interception of telegraphic or telephonic communications may be issued by any judge of one of the Circuit Courts in the counties of this State, or by any judge of the Supreme Bench of Baltimore City. Prior to the issue of any such order, the judge shall require the oath or affirmation of the Attorney General, a state's attorney, or a public peace officer or special investigator of this State or of one of the political subdivisions thereof, that there is reasonable ground to believe that evidence of crime may be thus obtained, and before issuing the order the judge shall satisfy himself that there is probable cause for such belief. The request for any such order shall identify the particular telephonic or telegraphic line to be intercepted, and particularly describe
the person or persons whose line or lines are to be intercepted, and the purpose thereof. Any such order shall be effective for the time specified therein, but not for a longer period than six months unless extended or renewed by a judge, following the same procedure and meeting the same requirements as for the original issue of the order. Any such order shall be delivered to and retained by the applicant as authority for intercepting or directing the interception of the telephonic or telegraphic line or lines. A true copy of such order, together with any papers submitted with the application, shall be retained in the permanent custody of the Clerk of the Court in which the order was issued.

(b) Evidence obtained by the interception of telegraphic or telephonic communications shall be admissible in evidence in any criminal proceedings in the Circuit Courts of this State or in the Criminal Courts of Baltimore City, if the evidence has been obtained in conformity with the provisions of this section. Evidence obtained by the interception of telegraphic or telephonic communications shall not be admissible in evidence in any court of this State if obtained other than in conformity with the provisions of this section.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
This bill is recommended by the Director of the Division of Parole and Probation. It would require that when any magistrate in Baltimore City orders a defendant to pay a fine or costs in instalment payments, the instalments shall be paid to the Probation Department of the Supreme Bench of Baltimore City. Instalment payments have been possible in Baltimore City since 1941, and the original act provided that they should be paid to some duly authorized and responsible city or state agency. The Division of Parole and Probation was designated as this "duly authorized and responsible city or state agency," and the Director of the Division of Parole and Probation cites that the task has been an onerous one. It is his feeling that Baltimore City benefits from these fines and that a city agency should be responsible for collecting the instalment payments.

(Item No. 6B)

**A BILL**

**ENTITLED**

AN ACT to repeal and re-enact, with amendments, Section 17 of Article 52 of the Annotated Code of Maryland (1951 Edition), title "Justices of the Peace," sub-title "Criminal Jurisdiction," providing that in Baltimore City the instalment payments of any fines and/or costs, as ordered by certain justices of the peace therein, shall be paid to the Probation Department of the Supreme Bench.

1. **SECTION 1.** Be it enacted by the General Assembly of Maryland, That Section 17 of Article 52 of the Annotated Code of Maryland (1951 Edition), title "Justices of the Peace," sub-title "Criminal Jurisdiction," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

2. **(a)** Any provision of law to the contrary notwithstanding, in any case where a Justice of the Peace in and for Baltimore City (except Traffic Court Magistrates) and Prince George's and Charles Counties has sentenced a person to pay a fine or costs or both fine and costs, said Justice of the Peace shall have power, in his discretion, to order that said person pay said fine and/or costs in instalments of such amounts and at such times and upon such conditions as said Justice of the Peace may fix. Said Justices of the Peace may at any time revise, modify, reduce or enlarge the amount of said instalments or the time and conditions fixed for payment of the same. Should the defendant fail to pay any instalment or fail to comply with any condition imposed as aforesaid, said Justice of the peace may order said defendant committed to jail to work out the balance remaining unpaid in accordance with the provisions of any law authorizing commitment in default of payment of fine and/or costs.

3. **(b).** In cases where a Justice of the Peace acting pursuant to the authority conferred by this section shall order the defendant to pay a fine and/or costs in instalments to a duly authorized and responsible City or State agency...
(which, in Baltimore City, shall be the probation Department of the Supreme Bench) which shall undertake to collect and account for said instalments, he shall not be responsible for the collection of the same nor be required to pay the same over to the Clerk of the Court of Common Pleas or the Treasurer of the City of Baltimore or the Police Commissioner of Baltimore City, as the case may be, nor shall his bond be liable for the same, except to the extent that he or someone acting under his direction (other than a worker or other employee of said City or State agency) has received any part of said fine and/or costs; but said Justice of the Peace shall include the same in the report required to be made by him to the Clerk of the Court of Common Pleas, the Treasurer of the City of Baltimore and the Police Commissioner of Baltimore City, respectively, under Sections 419, 430, 432 of Article 4 of the Public Local Laws of Maryland (1949 Edition), with a notation on said report earmarking these fines and/or costs which have been ordered paid in instalments to a City or State agency, as aforesaid, and specifying the agency to which said fine and/or costs were ordered paid.

1 Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended by the Commission on Administrative Organization of the State in its Sixth Report, on Health and Welfare Administration in Maryland. It would remove the State Director of Health from the Board of Health, designate him as the chief administrative official of the Department, and make future Directors subject to the retirement laws.

(Item No. 55E(4))

A BILL
ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 1 of Article 43 of the Annotated Code of Maryland (1951 Edition), title "Health", sub-title "State Board of Health", changing the composition of the State Board of Health, providing that the Director of Health be the chief administrative officer of the Board of Health and making other provisions relating to the State Director of Health.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 1 of Article 43 of the Annotated Code of Maryland (1951 Edition), title "Health", sub-title "State Board of Health" be and the same is hereby repealed and re-enacted with amendments, to read as follows:

1. (a) The State Board of Health shall consist of [eight] seven members as follows: one shall be an experienced civil engineer, one shall be an experienced certified pharmacist, one shall be an experienced doctor of dental surgery, and three shall be experienced physicians, all to be appointed by the Governor, with the advice and consent of the Senate for terms of six years each, so arranged that the terms of two of such appointive members shall expire every second year; and the remaining [members] member of the Board shall be the Commissioner of Health of the City of Baltimore [and the Director of Health to be appointed as hereinafter provided]. The members of the Board shall select a chairman from amongst their number to serve for a period of two years. [The members of the Board holding office by appointment of the Governor at the time this Act becomes effective, except Dr. Robert H. Riley, shall continue in office for the full terms for which they were appointed and thereafter the Governor, with the advice and consent of the Senate, shall appoint two members for terms expiring on the first Monday in May, 1945, in the place of the remaining member, whose term expires on the first Monday in May, 1940, and one of the three members whose terms expire on the first Monday in May, 1941, two members for terms expiring on the first Monday...
in May, 1947, in place of the two remaining members whose
terms expire on the first Monday in May, 1941. Thereafter
the Senate, shall biennially appoint two members in the place
of the two whose terms shall expire at that time to hold office for terms of six years in each case and until their successors are duly appointed and qualified. All vacancies among members appointed by the Governor shall be filled by the Governor with the advice and consent of the Senate for the balance of the unexpired term, if any. Notwithstanding the above provisions, Dr. Robert H. Riley shall remain chairman of the Board of Health and an eighth member of the Board for as long as he holds office as Director of Health.

(b) On June 1, 1939, the term of Dr. Robert H. Riley as an appointed member of said Board shall expire and he shall become shall continue to be the Director of Health, and be an ex-officio member of said Board and have all the powers and duties conferred by law upon the Director of Health. He shall continue to serve in that capacity as long as he performs his duty in a competent manner, and upon his death, resignation or removal as hereinafter provided for, the Board shall appoint a Director of Health who shall be an experienced physician, skilled in public health and hygiene, and upon appointment he shall continue to serve in that capacity as long as he performs his duties in a competent manner, and in the event of a vacancy the position shall be filled by the Board. The Director shall receive such compensation as may be fixed from time to time in the budget, and shall have and exercise all the powers and duties heretofore exercised by the Chairman of the Board appointed by the Governor. The Board may appoint such Director from the qualified physician members of the Board, in which event such appointee shall vacate his membership on the Board and his successor shall be appointed as hereinafter provided for the filling of vacancies on the Board to serve for the remainder of the unexpired term of such physician member, or may appoint a non-member of the Board, having the necessary qualifications, but in either event the Director shall become an ex-officio member of the Board and act as its Chairman and executive officer. The Director shall be chief administrative officer of the Department of Health. If a member of the Board is appointed as Director, the Governor shall thereupon appoint a new member of the Board to take his place and serve for the remainder of his unexpired term. The Director of Health and may be removed by the Board of Health or by the Governor, only for incompetency or misconduct in the same manner as civil officers receiving appointment from the Executive for a term of years may be removed by the Governor under the provisions of Section 15 of Article 2 of the Constitution. Directors of Health taking office after June 1, 1953 shall be subject to the retirement provisions applicable generally to department heads and employees under Article 73B of the Code, title "Pensions", except that he shall not be considered as an "appointed official" under the provisions of Section 8 thereof.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This joint resolution is recommended by the Commission on Administrative Reorganization, more familiarly known as the Sobeloff Commission. The recommendation is contained in that commission's Sixth Report concerning Health and Welfare Administration in Maryland. The purpose of the resolution is to request the Committee on Medical Care to recommend for the consideration of the General Assembly a State public health policy as to the respective financial responsibility of the State and of its counties.

(Item No. 55E(5))

JOINT RESOLUTION

Senate Joint Resolution requesting the Committee on Medical Care to study the problem of establishing an equitable financial responsibility of the State and of its counties as to health activities and to make recommendations on this question to the General Assembly.

1 Whereas, the division of financial responsibility between the State and local health departments is confused by the absence of prescribed formulae and policies governing State and local support of local health activities; and

2 Whereas, the fact that each county health officer is also ex officio a deputy state health officer adds further uncertainty to this question of financial responsibility; and

3 Whereas, additional uncertainty is provided by the lack of clear understanding as to which services rendered in a locality are local or State in nature and also by the inadequacy of accounting data on State and county expenditures for locally performed public health services; and

4 Whereas, there is a need for the simplification of practices in determining the extent of local financial support for public health activities; and

5 Whereas, it is the judgment of the General Assembly that the Committee on Medical Care could provide a valuable study and recommendation on this question; now therefore

6 Be it Resolved by the General Assembly of Maryland, That the Committee on Medical Care be requested to give detailed and adequate study to the question of establishing a State public health policy as to the respective financial responsibility of the State and of its several counties; and

7 Be it further resolved, That the Committee on Medical Care report the results of its study to the Legislative Council and to the General Assembly and include therein recommendations for an equitable solution of this problem.
This bill is recommended by the Department of Motor Vehicles. It would make a number of amendments to the financial responsibility act. One change would be to raise from $50 to $100 the amount of damage which must be caused before the financial responsibility provisions apply to any accident. Another change would be to raise from a basis of $5,000-$10,000 to a basis of $10,000-$20,000, the insurance which must be carried for bodily injury.

Also, the bill would provide that provisions as to financial security would not apply to the owner or driver of a vehicle if the Commissioner of Motor Vehicles established by indisputable evidence that he was not liable for the damage resulting from the accident.

In addition, there are a number of minor amendments to the financial responsibility laws included in the bill.

(Item No. 32)

A BILL

ENTITLED


SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 118, 119, 120 and 121 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title “Motor Vehicles”, sub-title “Motor Vehicle Financial Responsibility”, be and they are hereby repealed and re-enacted, with amendments, to read as follows:

118. (Report of Accident Required.) (a) The operator of every motor vehicle which is in any manner involved in an accident within this State, in which any person is killed or injured, or in which damage to the property of any one person, including himself, in excess of $50, $100. is sustained, shall within forty-eight hours five days report the matter in writing to the Department. If such operator be physically incapable of making such report, the owner of the motor vehicle involved in such accident, shall, as soon as he learns of the accident, report the matter in writing to the Department. The operator or the owner shall make such other and additional reports relating to such accident as the Department shall require.

(b) Failure to report an accident as herein provided or failure to give correctly the information required of him by the Department in connection with such report shall be a misdemeanor and, in the event of injury or damage to the person or property of another in such accident, shall also constitute a ground for suspension or revocation of 1. the license or registration for any motor vehicles, or
of all such licenses and registrations of the person failing
to make such report as herein required, and
2. the non-resident’s operating privilege of such person.

119. (Security Required Following Accident Unless Evi-
dence of Insurance—Suspension for Failure to Deposit
Security.) Within sixty days after the receipt
of a report of a motor vehicle accident within this State
which has resulted in bodily injury or death, or damage to
the property of any one person in excess of $50.00,
the Department shall suspend the license of each operator
and all registrations of each owner of a motor vehicle in
any manner involved in such accident, and if such operator
is a non-resident the privilege of operating a motor vehicle
within this State, and if such owner is a non-resident: the
privilege of the use within this State of any motor vehicle
owned by him, unless such operator or owner or both shall
deposit security in a sum which shall be sufficient in the
judgment of the Department to satisfy any judgment or
judgments for damages resulting from such accident as
may be recovered against such operator or owner; provided
notice of such suspension shall be sent by the Department
to such operator and owner not less than 10 days prior
to the effective date of such suspension and shall state the
amount required as security.

This section shall not apply:

1. To such operator or owner if such owner had in effect
at the time of such accident an automobile liability policy
with respect to the motor vehicle involved in such accident;

2. To such operator, if not the owner of such motor vehi-
cle, if there was in effect at the time of such accident an
automobile liability policy or bond with respect to his opera-
tion of motor vehicles not owned by him;

3. To such operator or owner if the liability of such
operator or owner for damages resulting from such acci-
dent is, in the judgment of the department, covered by any
other form of liability insurance policy or bond; or

No such policy or bond shall be effective under this sec-
tion unless issued by an insurance company or surety com-
pany authorized to do business in this State, except that if
such motor vehicle was not registered in this State, or was
a motor vehicle which was registered elsewhere than in this
State at the effective date of the policy or bond, or the most
recent renewal thereof, such policy or bond shall not be
effective under this section unless the insurance company
or surety company if not authorized to do business in this
State shall execute a power of attorney authorizing the
Department to accept service on its behalf of notice or
process in any action upon such policy or bond arising out
of such accident; provided, however, every such policy or
bond is subject, if the accident has resulted in bodily injury
or death, to a limit exclusive of interest and costs, of not
less than $5,000. because of bodily injury to or
death of one person in any one accident and, subject to said
limit for one person, to a limit of not less than $10,000
$20,000. because of bodily injury to or death of two or more
persons in any one accident, and, if the accident has re-
resulted in injury to or destruction of property, to a limit of
not less than $1,000. $5,000. because of injury to or de-
struction of property of others in any one accident.
Immediately upon receipt of notice of such accident, the insurance company or surety company which issued such policy or bond shall file with the Department a written notice that such policy or bond was in effect at the time of such accident.

4. To any person qualifying as a self-insurer as follows:

(a) Any person in whose name more than twenty-five motor vehicles are registered may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the Department as provided in Sub-section (b) of this section.

(b) The Department may, in its discretion, upon the application of such a person, issue a certificate of self-insurance when it is satisfied that such person is possessed and will continue to be possessed of ability to pay judgments obtained against such person.

(c) Upon not less than five days' notice and a hearing pursuant to such notice, the Department may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay any judgment within thirty days after such judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.

120. (Exceptions to Requirement of Security.) The requirements as to security and suspension in Section 119 shall not apply:

1. To the operator or the owner of a motor vehicle involved in an accident wherein no injury or damage was caused to the person or property of any one other than such operator or owner.

2. To the operator or the owner of a motor vehicle legally parked at the time of the accident.

3. To the owner of a motor vehicle if at the time of the accident the vehicle was being operated without his permission, express or implied, or was parked by a person who had been operating such motor vehicle without such permission.

4. To the driver or the owner of a motor vehicle involved in an accident, when it appears positively to the satisfaction of the Commissioner by indisputable evidence that the driver or owner is not liable for any damage resulting from the accident.

If, prior to the date that the Department would otherwise suspend license and registration or non-resident's operating privilege under Section 119, there shall be filed with the Department evidence satisfactory to him that the parties have reached a mutually satisfactory settlement of all claims, or that the person who would otherwise have to file security has been released from liability, or has been paid for his damages by, or on behalf of, some other person involved in the same accident, or been finally adjudicated not to be liable or has executed a warrant for confession of judgment, payable when and in such installments as the parties have agreed to, or has executed a duly acknowledged written agreement providing for the payment of an agreed amount in installments, with respect to all claims for injuries or damages resulting from the accident.
6. If the Department extends the suspension date and the Department is hereby authorized, in its discretion, to extend the suspension date five days when satisfactory evidence has been presented that final releases are being negotiated to the satisfaction of all parties.

121. (Duration of Suspension.) The license and registration and non-resident's operating privilege suspended as provided in Section 119 shall remain so suspended and shall not be renewed nor shall any such license or registration be issued to such person until:

1. Such person shall deposit or there shall be deposited on his behalf the security required under Section 119; or

2. One year shall have elapsed following the date of such [accident] suspension and evidence satisfactory to the Department has been filed with him that during such period no action for damages arising out of such accident has been instituted, or

3. Evidence satisfactory to the Department has been filed with him of a release from liability, or final adjudication of non-liability, or a warrant for confession of judgment, or a duly acknowledged written agreement, in accordance with Sub-section [4] 5 of Section 120; provided, however, in the event there shall be any default in the payment of any installment under any confession of judgment, then, upon notice of such default, the Department shall forthwith suspend the license and registration or non-resident's operating privilege of such person defaulting which shall not be restored unless and until the entire amount provided for in said confession of judgment has been paid; and provided, further, that in the event there shall be any default in the payment of any installment under any duly acknowledged written agreement, then, upon notice of such default, the Department shall forthwith suspend the license and registration or non-resident's operating privilege of such person defaulting which shall not be restored unless and until (1) such person deposits and thereafter maintains security as required under Section 119 in such amount as the Department may then determine, or (2) one year shall have elapsed following the date when such security was required and during such period no action upon such agreement has been instituted in a court in this State.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
**Explanations**

This bill is recommended by the Legislative Council following a study requested of the Council by a House Resolution passed at the 1952 session. The bill attempts to prevent the charging of exorbitant finance charges on the sale of motor vehicles. It places a ceiling on finance charges of from 9% to 11% on motor vehicles bought “on time”, the exact figure depending upon the age of the vehicle. In addition, it permits a service charge or at least part of the unpaid principal balance. Also, the bill provides penalties for any overcharge on either finance charge or service charge and also penalties for an overcharge on insurance premiums.

(Item No. 78)

**A BILL**

ENTITLED

AN ACT to add a new section to Article 83 of the Annotated Code of Maryland (1951 Edition), title “Sales and Notices”, said new section to be known as Section 119A, to follow immediately after Section 119 thereof and to be under the sub-title “Retail Instalment Sales”, relating to the finance charges and service charges made in retail instalment sales of motor vehicles, providing penalties for excessive finance and service charges and also providing penalties for overcharging on insurance premiums or charges.

**SECTION 1.** Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 83 of the Annotated Code of Maryland (1951 Edition), title “Sales and Notices”, said new section to be known as Section 119A, to follow immediately after Section 119 thereof, to be under the sub-title “Retail Instalment Sales”, and to read as follows:

119A. (Motor Vehicles.) (a) The time balance in an instalment sale agreement for a motor vehicle may include a finance charge and a service charge, subject to the provisions of this section.

(b) The finance charge imposed on the sale of a motor vehicle less than two (2) years old from date of issue of its original title shall not exceed a rate equal to that of $9.00 per $100.00 per year on the principal balance. The finance charge on all other motor vehicles shall not exceed a rate equal to that of $11.00 per $100.00 per year on the principal balance.

(c) The service charge shall not exceed the sum of fifty cents per month on the first fifty-dollar unit, or fraction thereof, of the principal balance; plus the sum of twenty-five cents per month on each of the next five fifty-dollar units, or fraction thereof, of the principal balance.

(d) If any seller or holder of the instalment sales agreement for a motor vehicle shall collect a finance charge or a
service charge on a motor vehicle, or both, greater in amount than the maximum specified in this section, the buyer in his discretion may treat the instalment sales agreement as completely abrogated, in which event the motor vehicle shall be the sole property of the buyer, with no further payments of principal, finance charge or service charge due from the buyer on account of the purchase price of the motor vehicle.

(e) If any seller or holder of the instalment sales agreement for a motor vehicle shall collect from the buyer a charge or amount for any insurance premium or coverage on any motor vehicle covered by an instalment sale agreement, greater in amount than may be charged or collected according to the rates approved for motor vehicles by the State Insurance Department for the insurer carrying the risk, the buyer in his discretion may treat the instalment sale agreement as having been violated in respect to the provisions for insurance coverage, for which violation the seller or holder shall pay to the buyer in liquidated damages a sum equal to ten times the amount of the overcharge.

(f) The term "motor vehicle", as used in this section, shall be defined as in Article 66⅔ of the Annotated Code, title "Motor Vehicles."

1 Sec. 2. And be it further enacted, That the provisions and requirements of this Act shall not apply to any instalment sale agreements concluded before June 1, 1953, or to any instalment sale agreements pending on May 31, 1953, unless any such instalment sale agreement is changed in any respect or replaced on or after June 1, 1953.

1 Sec. 3. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is a result of a recommendation made to the Legislative Council by Judge Herman M. Moser, of the Supreme Bench of Baltimore City. It followed an incident in Baltimore City in which an intoxicated person thought to have been the driver of a motor vehicle could not be proved to be the driver. Judge Moser suggested that the owner of each motor vehicle be the presumptive driver if the car was involved in any violation of law, and that it be made an offense for any owner involved in any violation to conceal the name of the operator. The bill being recommended by the Legislative Council adopts these recommendations as to any motor vehicle involved in an accident.

(Item No. 106)

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 281 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Operation of Vehicles Upon Highways", providing that the owner of any motor vehicle involved in an accident shall be presumed to have been the operator of the vehicle at the time it was so involved, this presumption being rebuttable; and also providing that it shall be a violation of this article for the owner of any motor vehicle involved in a violation of law wilfully to conceal the name of the actual operator thereof at the time of the accident.

1 SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 281 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Operation of Vehicles Upon Highways", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

1 281. (Parties to a Crime.) (a) Every person who commits, attempts to commit, conspires to commit, or aids or abets in the commission of, any act declared herein to be a crime, whether individually or in connection with one or more other persons or as principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly, or wilfully induces, causes, coerces, requires, permits or directs another to violate any provision of this Article is likewise guilty of such offense.

10 (b) The owner of any motor vehicle, if found at or near the scene of the accident, shall be the presumptive operator of the motor vehicle at the time it is involved in an accident. This presumption shall be rebuttable if the owner establishes the fact that he was not the actual operator of the motor vehicle at such time.

16 (c) The owner of any motor vehicle which is involved in any accident who wilfully conceals the name of the actual operator thereof at such time shall be deemed guilty of a violation of this Article.

1 SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is one of a number recommended by the Department of Motor Vehicles. It would broaden the definition of commercial motor vehicles for hire in order to include tow-trucks. This change then makes it possible to repeal the special laws for the registration of repairers of vehicles and of wreckers of vehicles. Also the use of towing vehicles is clarified by adding a specific provision that they may move other vehicles from the highways provided the front of the rear wheels of the towed vehicles are lifted from the highways or provided that the towed vehicle is attached by tow-bars and no driver is necessary.

(Item No. 140(1))

A BILL
ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 2(a) (6) of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Definition of Words and Phrases," and Section 21 of said Article, sub-title "Administration—Registration—Titling", and to repeal Sub-sections (Class P. Repairers of Vehicles) and (Class Q. Wreckers of Vehicles) of Section 80 of said Article and sub-title, relating generally to the definition, registration fees and operation of towing vehicles.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 2(a) (6) of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Definition of Words and Phrases", and Section 21 of said Article, sub-title "Administration—Registration—Titling", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

2.
(a).

1. (Commercial Motor Vehicles—For Hire.) All motor vehicles, including semi-trailers and trailers, and tow-trucks, except taxicabs, used or to be used in the transportation of passengers or property or towing of vehicles for hire. Nothing herein shall be construed as including motor vehicles used by a Registered Dealer for the purpose of towing disabled motor vehicles incident to his business.

21. (Operating Unregistered Motor Vehicles.) Except as herein otherwise provided, no person shall drive or move nor shall an owner knowingly permit to be driven or moved upon any highway, any vehicle of a type required to be registered hereunder which is not registered or for which a certificate of title has not been issued or applied for or for which the appropriate fee has not been paid. Towing vehicles may move vehicles from the high-
ways, provided the front or rear wheels of towed vehicles are lifted from the highway, or towed vehicle is attached by tow bar and no driver is necessary.

Violation of this section shall be deemed a misdemeanor, punishable by a fine or not less than One Dollar ($1.00) nor more than Two Hundred Dollars ($200.00).

SEC. 2. And be it further enacted, That Sub-sections (Class P. Repairers of Vehicles) and (Class Q. Wreckers of Vehicles) of Section 80 of said Article and sub-title, be and they are hereby repealed.

SEC. 3. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is one of a number proposed by the Department of Motor Vehicles for the clarification of the motor vehicle laws. It would repeal a duplicating provision concerning the fees to be paid for obtaining certified copies of records. In addition, all the provisions concerning such certified copies then would be concentrated in one section of the motor vehicle laws.

(Item No. 140(3))

A BILL
ENTITLED

AN ACT to repeal Section 12(c) of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titling", and to repeal and re-enact, with amendments, Section 170 of said Article, sub-title "Operation of Vehicles Upon Highways", removing a duplicating provision from the motor vehicle laws concerning the fees to be charged for copies of records and consolidating into one section all provisions having to do with certified copies of records.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 12(c) of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titling", be and it is hereby repealed and that Section 170 of said Article, sub-title "Operation of Vehicles Upon Highways", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

170. (Department To Furnish Operating Record.) The Department shall upon request furnish any insurance carrier or any person or surety a certified abstract of the record of any person subject to the provisions of this Article, which abstract shall fully designate the motor vehicles, if any, registered in the name of such person; and if there is no record of any conviction of such person of a violation of any provisions of any statute relating to the operation of a motor vehicle or of any injury or damage caused by such person as herein provided, the Department shall so certify and every such certification shall be admissible in any proceeding in any court in like manner as the original thereof. The Department shall collect for each such certificate the sum of One Dollar, but no charge shall be made for any record required or requested by any court or State department.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
This bill is one of a number recommended by the Department of Motor Vehicles for the clarification and improvement of the motor vehicle laws. It would amend a number of sections in the laws to provide that non-resident students enrolled in Maryland colleges shall not be required to register their motor vehicles in Maryland, so long as they are not engaged in any trade or profession in Maryland and also so long as the State of which a particular student is a resident grants the same privileges to Maryland students attending colleges in that State. No concerted drive has ever been made in Maryland to force students from other states to observe the general requirement that foreign registrations are good for ninety days only. However, because of one instance in which a student from North Carolina was required to obtain Maryland registration, that state now is engaged in enforcing the same provisions upon all Maryland student resident there. The proposed bill would permit a reciprocal exception from the registration requirements.

(Item No. 140(4))

A BILL

ENTITLED

AN ACT to add a new paragraph to Section 22(a) of Article 66 ½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titling", said new paragraph to be known as Paragraph (6), to follow immediately after Paragraph (5) thereof and to repeal and re-enact, with amendments, Sections 55 and 57(a) of said Article and sub-title, providing that non-resident students enrolled in an accredited Maryland school, college or university are exempt from the provisions of this sub-title relating to registration of motor vehicles, under certain conditions.

1 SECTION 1. Be it enacted by the General Assembly of Maryland, That a new paragraph be and it is hereby added to Section 22(a) of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titling", said new paragraph to be known as Paragraph (6), to follow immediately after Paragraph (5) thereof, and that Sections 55 and 57(a) of said Article and sub-title be and they are hereby repealed and re-enacted, with amendments, and all to read as follows:

22(a).

1 (6). Non-resident students enrolled in an accredited Maryland school, college or university, who are not employed or engaged in any trade or profession, provided the State of which he is a resident shall extend the same privileges to residents of this State.

1 55. (a) A non-resident owner except as otherwise provided in this section, owning any foreign vehicle of a type otherwise subject to registration hereunder may operate or permit the operation of such vehicle within this State.
without registering such vehicle in, or paying any fees to, this State subject to the condition that such vehicle at all times when operated in this State is duly registered in, and displays upon it a valid registration plate or plates issued for such vehicle in the place of residence of such owner, provided the State of which he is a resident shall extend the same privilege to residents of this State, and provided further that motor vehicles registered under the laws of this State, or registered and identified as required by this provision of this Article, may be operated by a non-resident of the State if such non-resident is properly licensed to operate motor vehicles under the laws of a State in which an examination as to qualification to operate motor vehicles is required, and in which State residents of Maryland are extended like privilege.

(b) Any resident of another State who shall come to this State and take up permanent residence herein, shall be entitled to use the license and registration plates on his or her motor vehicle for a period of thirty days and no more, from the time when residence in this State first began.

(c) Non-resident students enrolled in an accredited Maryland school, college or university, who are not employed or engaged in any trade or profession, shall be exempt from obtaining Maryland registration, provided the State of which he is a resident shall extend the same privileges to residents of this State.

57. (a). The foregoing exemption of non-residents shall not apply to operators of motor vehicles or motor cycles who are residents of states which do not require the display of identification markers on the same, nor shall it apply to non-residents of this State who have temporary residences in this State for periods in excess of three months in any year, except non-resident students enrolled in an accredited Maryland school, college or university, who are not employed or engaged in any trade or profession, provided the State of which he is a resident shall extend the same privileges to residents of this State, or to non-residents, engaged in the business of transporting persons or property for hire, wholly or partly upon or over the public highways of this State, over fixed routes, or between fixed termini.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is one of a number recommended by the Department of Motor Vehicles for the clarification and improvement of the motor vehicle laws. It would repeal a section providing for the registration of motor vehicles owned by farmers which are used only on that part of the State’s highways adjacent to their farms. During the past year only 173 plates of this type were issued. It is the recommendation of the Department of Motor Vehicles that it is an unnecessary type of registration plate and that the farm truck tags will adequately cover such use.

(Item No. 140(5))

A BILL

ENTITLED

AN ACT to repeal Section 24 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title “Motor Vehicles”, sub-title “Administration—Registration—Titling”, said section providing for the registration of motor vehicles owned by farmers and used on that part of the State’s highways which is adjacent to their farms.

WHEREAS, there are very few registration plates issued under this section; and

WHEREAS, Section 80 (Class E. Pneumatic Tires) of this Article provides for the registration of farm trucks; now therefore

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 24 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title “Motor Vehicles”, sub-title “Administration—Registration—Titling”, be and it is hereby repealed.

SEC. 2. And be it further enacted, That this Act shall take effect from June 1, 1953.
Explanation

This bill is one of a number recommended by the Department of Motor Vehicles for the clarification and improvement of the motor vehicle laws. It would repeal a section which relates to the notice to be given by dealers of receiving used motor vehicles. It was passed some years ago to enable the Tax Collector of Baltimore City to appraise stock in trade of new and used-car dealers. However, under present provisions for collecting a flat excise fee on motor vehicles, this section no longer serves any useful purpose and is superfluous.

The section also contains penalties for the violation of two preceding sections. Here it is the recommendation of the Department of Motor Vehicles that the general penalty provisions in the motor vehicle laws are sufficient to cover these sections.

(Item No. 140(7))

A BILL

ENTITLED

AN ACT to repeal Section 48 of Article 66½ of the Annotated Code of Maryland, (1951 Edition), title "Motor Vehicles", sub-title "Administration — Registration — Titling", said section relating to the notice to be given by dealers of the receipt of used motor vehicles and also providing penalties for the violation of Section 46 and 47 of said Article.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 48 of Article 66½ of the Annotated Code of Maryland (1952 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titling", be and it is hereby repealed.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
This bill is one of a number proposed by the Department of Motor Vehicles for the clarification and improvement of the motor vehicle laws. It would amend the section which now permits the owner of a dismantled or a wrecked vehicle to return evidence of registration to the Department and secure a permit for dismantling. The amendment would add to the word "owner" the additional provision that the person who sells the motor vehicle could secure such a permit. This provision is recommended in order that dealers would be covered as well as the owners of the vehicles.

In addition, it is proposed to amend this section by removing therefrom a present provision concerning the keeping of records of these vehicles under engine numbers. The Department now keeps such records under serial numbers.

(Item No. 140(8))

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 54 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titling", to include persons other than owners of motor vehicles under the provisions of this section and eliminating certain obsolete provisions from said section.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 54 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titling", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

54. (Dismantling or Wrecking Vehicle to Return Evidence of Registration to the Department and Secure Permit to Dismantle.) (a) Any owner or person dismantling or wrecking any registered vehicle shall immediately forward to the Department the certificate of title for cancellation.

(b) Any owner or person who sells a motor vehicle as scrap or to be dismantled or destroyed shall assign the certificate of title thereto to the purchaser and said purchaser shall deliver such certificate so assigned to the Department with an application for a permit to dismantle such vehicle. The Department shall thereupon issue to the purchaser a permit to dismantle the vehicle and shall authorize such person to possess or transport such motor vehicle.

(c) Provided, that if the engine or part of engine bearing engine number removed from a dismantled vehicle is sold to be installed in another vehicle for operation upon the highways, the Department shall prescribe the form for transfer to the purchaser and subsequent application for new title by the purchaser.
(c) Violation of Sections 53 and 54 shall be deemed to be a misdemeanor and upon conviction shall be punishable by a fine of One Dollar ($1.00) to One Thousand Dollars ($1,000.00) or by imprisonment not to exceed one (1) year or by both such fine and imprisonment.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is one of a number recommended by the Department of Motor Vehicles to clarify and improve the motor vehicle laws. It would amend the section concerning the issue of temporary registration plates by the Department to provide that such plates may be issued to the purchasers as well as to the owners of vehicles.

Also, this bill would amend the provision concerning the temporary registration plates or markers by providing that the expiration date should be stamped thereon in figures not less than three-quarters of an inch in height.

(Item No. 140(9))

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Subsections (a) and (e) of Section 61 of Article 661/4 of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titing", relating to the issuance of temporary registration plates or markers.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sub-sections (a) and (e) of Section 61 of Article 661/4 of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titing", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

(a). The Department may, subject to the limitations and conditions hereinafter set forth, deliver temporary registration plates or markers designed by said Department to a dealer duly registered under the provisions of this Article who applies for at least five (5) sets of such plates or markers and who encloses with such application a fee of Fifty Cents (50¢) for each set for which application is made. Such application shall be made upon a form prescribed and furnished by the Department. Dealers subject to the limitations and conditions hereinafter set forth, may issue such temporary registration plates or markers to purchasers or owners of vehicles, provided that such purchasers or owners shall comply with the pertinent provisions of this section.

(e). Every dealer who issues temporary plates or markers shall insert clearly and indelibly on the face of each temporary registration plate or marker the date of issuance and expiration, and the make and serial number of the vehicle for which issued. The expiration date should be stamped in figures not less than three-quarters of an inch in height.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is one of a number recommended by the Department of Motor Vehicles for the clarification and improvement of the motor vehicle laws. It would remove from the motor vehicle laws all reference to the registration of semi-trailers operated under the shuttle or relay system. No other states have such laws and it is the recommendation of the Department of Motor Vehicles that this class of registration should be abolished in Maryland in order that there would not be any shuttle-relay system.

(Item No. 140(10))

A BILL
ENTITLED
AN ACT to repeal Sub-paragraph (b) of Sub-section (Class F. Pneumatic Tires) of Section 80 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title “Motor Vehicles”, sub-title “Administration—Registration—Titling”, and to repeal and re-enact, with amendments, Sub-paragraph (b) of Sub-section (Class G. Pneumatic Tires) of said Section 80 of said Article and sub-title, eliminating the provisions of said section relating to the Shuttle-Relay System.

1. SECTION 1. Be it enacted by the General Assembly of Maryland, That Sub-paragraph (b) of Sub-section (Class F. Pneumatic Tires) of Section 80 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title “Motor Vehicles”, sub-title “Administration—Registration—Titling”, be and it is hereby repealed and that Sub-paragraph (b) of Sub-section (Class G. Pneumatic Tires) of said Section 80 of said Article and sub-title, be and it is hereby repealed and re-enacted, with amendments to read as follows:

1a. (Class F. Pneumatic Tires.)

2. (b) Upon receipt of an application in proper form for the registration of semi-trailers operated under the shuttle or relay system, it shall be the duty of the Department, after due investigation, to issue additional registration plates not exceeding one additional for each two truck-tractors registered by the owner without extra cost and the fee for any additional trailers other than those hereinabove specified but not exceeding one for each two truck-tractors shall be one-half the regular registration fee.]

3. The Department shall pay to the County or Baltimore City in which the owner of a Class G motor vehicle resides, the following sums for such vehicles as per chassis weight as shown above:
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<th>Description</th>
<th>Fee</th>
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<tbody>
<tr>
<td>15</td>
<td>Less than 300</td>
<td>$2.00</td>
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<tr>
<td>16</td>
<td>301 to 500</td>
<td>2.00</td>
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<tr>
<td>17</td>
<td>501 to 1000</td>
<td>8.00</td>
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<tr>
<td>18</td>
<td>1001 to 2500</td>
<td>15.00</td>
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<tr>
<td>19</td>
<td>2501 to 3500</td>
<td>25.00</td>
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<tr>
<td>20</td>
<td>Over 3501</td>
<td>30.00</td>
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</table>

If the owner of any such vehicles also resides within the corporate limits of any municipality or special taxing area in a county, such municipality or special taxing area shall be entitled to receive from the county one-half (½) of the fee paid to the county for such vehicle.

SEC. 2. *And be it further enacted*, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended by the Department of Motor Vehicles as one of a number of proposals for clarifying and improving the motor vehicle laws. It would amend the section having to do with the registration of farm tractors. There now are two provisions for registration in this section, one imposing a flat fee of $4.00 for farm tractors and the other providing that there shall be no charge for farm tractors where they are to be used within a distance not more than five miles from the farm. Very few of the $4.00 registrations are sold and it is the recommendation of the Department of Motor Vehicles that this type of registration be repealed, so that nothing would be left except the registration for farm tractors going a distance not greater than five miles from the farm.

(Item No. 140(11))

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Sub-paragraph (c) of Sub-section (Class F. Pneumatic Tires.) of Section 80 of Article 66 ½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titles", eliminating the fee for registration of certain farm tractors.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sub-paragraph (c) of Sub-section (Class F. Pneumatic Tires.) of Section 80 of Article 66 ½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titles", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

80. (Class F. Pneumatic Tires.)

(c) [This charge shall not apply to farm tractors being operated by farmers in connection with their farming operations when traveling upon the public highways or streets of this State, on which shall be imposed in lieu thereof a flat fee of $4.00.] No charge shall be made for farm tractors where such tractor is being used in hauling farm wagons or implements in connection with farming operations, or for farm tractor hauled trailers of farmers using highways and not going a distance greater than five miles. The term "farmer" as used in this section means any person or corporation engaged in the raising, growing and producing of farm products on a farm of not less than three (3) acres in area, and who is not hauling farm products previously acquired by him for resale or hauling same for others for hire.

The Department shall pay to the County or Baltimore City in which the owner of a Class F motor vehicle resides, the sum of $30.00, and if the owner also resides within the corporate limits of any municipality or special taxing area
in a county, the municipality or special taxing area shall be entitled to receive from the county the sum of $15.00. In the case of farm tractors, the payment to the county shall be $2.00 and if the owner also resides in a municipality or special taxing area, such municipality or taxing area shall be entitled to receive from the county the sum of $1.00.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is one of a number recommended by the Department of Motor Vehicles for the clarification and simplification of the motor vehicle laws. It would repeal three types of motor vehicle registration and replace them by one type. The three types repealed would be those now entitled "In-transit Registration Plates", "Transporters of Used Cars", and "Transporters of New and Used Cars and Trailers". In their place, there would be only one such type of registration entitled "Transporters of Vehicles."

(Item No. 140(12))

A BILL

ENTITLED

AN ACT to repeal Sub-sections (Class N. In-Transit Registration Plates.), (Class O. Transporters of Used Cars.) and (Class S. Transporters of New and Used Cars and Trailers.) of Section 80 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration — Registration — Titling", and to enact in lieu thereof a new Sub-section (Class N. Transporters of Vehicles.), to follow immediately after Sub-section (Class M. Used Car Dealers.), setting the registration fee to be applied to all classes of transporters of vehicles.

SEC. 1. Be it enacted by the General Assembly of Maryland, That Sub-sections (Class N. In-Transit Registration Plates.), (Class O. Transporters of Used Cars.) and (Class S. Transporters of New and Used Cars and Trailers.) of Section 80 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration — Registration — Titling", be and they are hereby repealed and that a new Sub-section (Class N. Transporters of Vehicles.) be and it is hereby enacted in lieu thereof, to follow immediately after Sub-section (Class M. Used Car Dealers.), and to read as follows:

1 80.
2 (Class N. Transporters of Vehicles.) Ten Dollars ($10.00) for each set of registration plates issued to each transporter of vehicles.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is one of a number recommended by the Department of Motor Vehicles for the clarification and improvement of the motor vehicle laws. It would amend the section having to do with the registration of school buses. As most recently amended, the registration fee for school buses was set at $50.00. Previously, it had been $25.00 and it is the recommendation of the Department that this larger fee be substituted.

Also, there is added to this section a provision similar to that concerning other types of registration for part of the fee to revert to the county or municipality in which the owner of a registered school bus lives.

(Item No. 140(13))

A BILL

ENTITLED

AN ACT repeal and re-enact, with amendments, Sub-section (Class H. Pneumatic Tires) of Section 80 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles," sub-title "Administration — Registration — Titling," relating to the registration fee for school buses, when operating for the purpose of transporting pupils between home and school, between designated points of collection and school, or to or from any school activity.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sub-section (Class H. Pneumatic Tires) of Section 80 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicle", sub-title "Administration — Registration — Titling," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

80.

(Class H. Pneumatic Tires) School buses, publicly or privately owned, under contract to the Boards of Education of the political subdivisions, and or owned or under contract by accredited schools, shall pay a flat registration fee of $15.00 when operating for the purpose of transporting pupils between home and school, between designated points of collection and school, or to or from any school activity. When operating for these purposes and for these purposes alone they shall carry the usual school bus insignia, front and rear, and "stop" signals, front and rear. When operating a school bus for any purposes other than those above set forth, the owner shall take out an additional license plate for which the charge shall be $50.00 per year. When operating a school bus for any purpose other than the scheduled operation of transporting pupils between home and school or to or from any school activity, the operator of the bus shall cover the school bus license plates as well as all markings on the bus indicating it to be a school bus. The Department
of Motor Vehicles shall issue a distinctive plate to be used on buses operating on a schedule for the transporting of pupils between home and school or to and from any school activity.

The Department shall pay to the County or Baltimore City in which the owner of a Class H Vehicle subject to taxation resides, the sum of $10.00, and if the owner also resides within the corporate limits of any municipality or special taxing area in a county, such municipality or special taxing area shall be entitled to receive from the county the sum of $5.00.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is one of a number recommended by the Department of Motor Vehicles for the clarification and improvement of the Motor Vehicle Laws. It would amend the section having to do with refunds for the unused portion of a registration year on license plates. The amendment would provide that there could be no refund of the registration fee except a refund for an entire year. Refunds for partial years, that is, would be eliminated under the proposed bill.

(Item No. 140(14))

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 83 of Article 661/2 of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration — Registration — Titling", eliminating the provisions of this section relating to refunds on periods of less than a full year.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 83 of Article 661/2 of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration — Registration — Titling", be and it is hereby repealed and re-enacted, with amendments, to read as follows:

1 83. (Refunds on [Semi-Annual] Annual Basis.) Upon the surrender of the certificates and registration plates provided for in Classes A, B, C, D, E, F, G, H, I and J, and upon application made therefor, the original owner shall be entitled to refund of the amount paid for such certificates and registration plates for the unused portion of the registration year calculated on a semi-annual basis with no allowance for fractional portions of a half-year period; provided, however, that in the case of Class A, the refund shall be $5.00 where the fee is $15.00 and $7.50 where the fee is $23.00, and in the case of Class D the refund shall be $1.50; provided further, that Refund of the entire fee for registration of Classes A, B, C, D, E, F, G, H, I and J shall be allowed on unused license plates for the year beginning April 1, [1949] 1953 and each year thereafter, when returned to the Department within thirty days after date of issuance, or returned prior to April 1st, where secured between February 15th and 29th preceding.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
This bill is one of a number proposed by the Department of Motor Vehicles for the clarification and simplification of the motor vehicle laws. It would change the period of validity of instruction permits from thirty days to sixty days and strike out the provision for obtaining a renewal of such a permit. It is the recommendation of the Department of Motor Vehicles that the longer period is preferable and that in such event no renewal period is needed.

Also, the bill would permit members of the Armed forces to whom military driving licenses have been issued to take an immediate examination rather than to wait for fifteen days as is the general rule.

(Item No. 140(15))

**A BILL**

**ENTITLED**

AN ACT to repeal and re-enact, with amendments, Sub-sections (c) and (d) of Section 89 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title “Motor Vehicles”, sub-title “Administration—Registration—Titling”, relating to the eligibility of applicants for and issuance of instructions and examination permits.

**SECTION 1.** Be it enacted by the General Assembly of Maryland, That Sub-sections (c) and (d) of Section 89 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title “Motor Vehicles”, sub-title “Administration—Registration—Titling”, be and they are hereby repealed and re-enacted, with amendments, to read as follows:

1. **(c)** Such instruction and examination permit shall entitle the person to whom it is issued to operate a motor vehicle only when accompanied by a regularly licensed Maryland operator or chauffeur who is actually occupying a seat beside the person under instruction, and shall be valid only for [thirty] sixty days from the date of issue for the purpose of instruction, after which time it shall expire and become void. [If further instruction is desired, a renewal of the permit must be obtained for another thirty days by forwarding the permit and One Dollar ($1.00) fee to the Department in Baltimore.]

2. **(d)** The person under instruction may take the final examination fifteen days or thereafter from the date the permit was issued. Any person regularly licensed as an operator or chauffeur in another State and members of the Armed Forces to whom Military Driving Licenses have been issued may be permitted to take an immediate examination. [The permit, except as otherwise stated, will be honored for a period of ninety days from the date of issue for the purpose of taking the final examination.] A person licensed to receive instruction and qualified to take the required examinations for the license applied for must...
appear in person at the Department of Motor Vehicles in
Baltimore City, or at any of the places throughout the State
which the Department may designate for convenience of
applicants.

1 Sec. 2. And be it further enacted, That this Act shall
2 take effect June 1, 1953.
Explanations

This bill is one of a number proposed by the Department of Motor Vehicles for the clarification of the motor vehicle laws. The Department points out that there are now two provisions in the law concerning persons who cannot read and understand street and other highway signs written in English. One provision prohibits the Department from issuing a driver's license to any such person. The other provision permits a restricted license if such person is accompanied on the driving seat by a person who is able to read and interpret such signs. The Department of Motor Vehicles points out this conflict and recommends that the more lenient provision be repealed. The result would be that the Department would be prohibited from issuing a driving license to any person who himself is unable to understand and read highway signs written in English.

(Item No. 140(17))

A BILL

ENTITLED

AN ACT to repeal Sub-section (e) of Section 90 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titling", said section relating to applicants for driving licenses who are unable to read English.

WHEREAS, Section 87 of this Article prohibits the Department of Motor Vehicles from issuing a driving license to any person who is unable to understand street and highway warning and direction signs written in the English language; and

WHEREAS, Section 90 (e) provides for a restricted license which requires such operator to be accompanied on driving seat by a person able to read and interpret such signs, thereby conflicting with Section 87; now therefore

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 90 (e) of Article 66½ of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles", sub-title "Administration—Registration—Titling", be and it is hereby repealed.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is one of a number proposed by the Department of Motor Vehicles for the clarification and simplification of the motor vehicle laws. It would repeal a section of the motor vehicle laws relating to the reporting of accidents. It is the recommendation of the Department of Motor Vehicles that the provisions of Section 118 of the motor vehicle laws cover this section in full and that therefore Section 168 is unnecessary and may be repealed.

(Item No. 140 (22))

A BILL

ENTITLED

AN ACT to repeal Section 168 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title “Motor Vehicles”, sub-title “Operation of Vehicles Upon Highways”, said section relating to the reporting of accidents.

WHEREAS, the provisions of this section are amply covered by the provisions of Section 118 of Article 66½ thereby making this section no longer necessary; now therefore.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 168 of Article 66½ of the Annotated Code of Maryland (1951 Edition), title “Motor Vehicles”, sub-title “Operation of Vehicles Upon Highways”, be and it is hereby repealed.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended by the Legislative Council to correct an inadvertent error in an act passed by the 1952 General Assembly. At that time, a limited tax exemption was granted to blind civilians. In the process, an unlimited tax exemption which formerly had been granted to blind veterans was changed to be subject to the same restrictions as applicable to blind civilians. The title of the 1952 act makes it certain that no such change was intended as to the tax exemption granted to blind veterans and this bill would correct that inadvertent change.

Item No. 110(1)

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 8 (35) (a) of Article 81 of the Annotated Code of Maryland (1951 Edition), title "Revenue and Taxes", sub-title "Ordinary Taxes. What Shall be Taxed and Where", as amended by Ch. 30 of the Acts of 1952, clarifying the provisions of said section as to a tax exemption granted to persons having a service-connected disability in the form of total blindness.

1 WHEREAS, by Chapter 30 of the Acts of 1952, there was an amendment to Section 8 (35) (a) of Article 81 of the Code to provide a tax exemption on the dwelling house occupied by any blind person up to an assessed valuation of $6,000; and

2 WHEREAS, until the enactment of Chapter 30 of 1952, veterans having a service-connected disability in the form of total blindness had been granted a full tax exemption on their dwelling houses; and

3 WHEREAS, by inadvertence in amending the bill which became Chapter 30 of 1952, this full tax exemption for blind veterans was stricken out, so that this section now purports to give to such blind veterans only the limited tax exemption accorded to blind civilians; and

4 WHEREAS, it was certainly not the legislative intent to strike out the unrestricted tax exemption heretofore accorded to blind veterans; and

5 WHEREAS, the title of Chapter 30 of 1952 makes no mention of any such change as to blind veterans, thereby raising considerable doubts as to whether this purported change actually is effective; and

6 WHEREAS, the provisions of this section should be clarified in order to remove any possible doubt as to the unrestricted tax exemption granted to veterans having a service-connected disability in the form of total blindness; now therefore
SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 8(35) (a) of Article 81 of the Annotated Code of Maryland (1951 Edition), title "Revenue and Taxes," sub-title "Ordinary Taxes. What Shall be Taxed and Where," as amended by Ch. 30 of the Acts of 1952, be and it is hereby repealed and re-enacted, with amendments, to read as follows:

8. (35).

(a) The dwelling house and the lot or curtilage whereon the same is erected, of any citizen and resident of this State, now or hereafter honorably discharged or released under honorable circumstances from active service, in time of war, in any branch of the armed forces, who has been or shall be declared by the United States Veterans Administration or its successors to have a service-connected disability from total blindness, or from paraplegia or permanent paralysis of both legs and lower parts of the body resulting from traumatic injury to the spinal cord or brain, or from the amputation of both arms or both legs, or by reason of amputation, ankylosis, progressive muscular dystrophies or paralysis of both lower extremities, such as to preclude locomotion without the aid of braces, crutches, canes or wheel chair. The dwelling house and the lot or curtilage whereon the same is erected of any blind person shall also be exempt from taxation, up to an assessed valuation of $6,000, in any instance; and for the purpose of this sub-section a person shall be considered blind if he has a permanent impairment of both eyes of the following status: central visual acuity of 20/200 or less in the better eye, with corrective glasses, or central visual acuity of more than 20/200 if there is a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than twenty degrees in the better eye. Such exemption shall be in addition to any other exemption of such person's real and personal property which now is or hereafter shall be prescribed or allowed by the Constitution or by law, but no taxpayer shall be allowed more than one exemption under this sub-section.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended by the Maryland Commissioners on Uniform State Laws following its proposal by the National Conference of Commissioners on Uniform State Laws. It provides generally that no person shall have more than one cause of action for damages for libel, slander, invasion of privacy or any other tort founded upon any single publication, exhibition or utterance. The bill attempts to prevent multiple suits for such offenses as libel or slander based upon, for example, a nationally distributed newspaper or magazine. Under the terms of this bill, any person securing recovery would be limited to a suit in one jurisdiction.

(Item No. 146)

A BILL

ENTITLED

AN ACT to add Sections 9 to 13, inclusive, to Article 75C of the Annotated Code of Maryland (1951 Edition), title "Prohibited Actions", said new sections to follow immediately after Section 8 thereof and to be under the new sub-title "Uniform Single Publication Act", providing that no person shall have more than one cause of action for damages for libel, slander, invasion of privacy or any other tort founded upon any single publication, exhibition or utterance and relating generally to the right of action in any such cases.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 9 to 13, inclusive, be and they are hereby added to Article 75C of the Annotated Code of Maryland (1951 Edition), title "Prohibited Actions", said new sections to follow immediately after Section 8 thereof, to be under the new sub-title "Uniform Single Publication Act", and to read as follows:

UNIFORM SINGLE PUBLICATION ACT

9. No person shall have more than one cause of action for damages for libel or slander or invasion of privacy or any other tort founded upon any single publication or exhibition or utterance, such as any one edition of a newspaper or book or magazine or any one presentation to an audience or any one broadcast over radio or television or any one exhibition of a motion picture. Recovery in any action shall include all damages for any such tort suffered by the plaintiff in all jurisdictions.

10. A judgment in any jurisdiction for or against the plaintiff upon the substantive merits of any action for damages founded upon a single publication or exhibition or utterance as described in Section 9 shall bar any other action for damages by the same plaintiff against the same defendant founded upon the same publication or exhibition or utterance.
11. This sub-title shall be so interpreted as to effectuate its purpose to make uniform the law of those states or jurisdictions which enact it.

12. This sub-title may be cited as the Uniform Single Publication Act.

13. This sub-title shall not be retroactive as to causes of action existing on June 1, 1953.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
PART III

MINUTES OF THE MEETINGS

OF THE

LEGISLATIVE COUNCIL OF MARYLAND
MINUTES
FIRST MEETING

Baltimore, Md., April 8, 1952.

The first meeting of the Legislative Council was held on Tuesday, April 8, 1952, at 11.00 A.M. in the City Council Chamber, City Hall, Baltimore, with the following members present: Mr. Della, Chairman, presiding, and Messrs. Luber, Goldstein, Crothers, Kimble, Turner, Hoff, Melnicove, Redden, McLaughlin, Turnbull, Boone, Dempsey, McNulty, Green, Riggins, Derr and Robinson.

The Chairman named the two main committees of the Legislative Council, as follows:


JUDICIARY—Omar D. Crothers, Jr., Chairman; John G. Turnbull, Vice-Chairman; George W. Della, Thomas F. Dempsey, Melvin H. Derr, Bernard S. Melnicove, E. Layton Riggins, E. Homer White, John F. McNulty, Stanford Hoff.

The Chairman also announced that a special committee on Racing Laws would be named later.

The Secretary then presented the following report:

"The Legislative Council submitted 55 bills and one resolution to the General Assembly of 1952. Of these, the resolution and 34 of the bills passed but four of these bills were vetoed by the Governor. One of these vetoes was overridden by the General Assembly.

The following is a more detailed description of how the Council's program came out:

**PASSED**

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53—Assessment date, Chapter 49
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55(2)—One Package Budget, Chapter 21
55(5)—Capital Improvements, Chapter 22
55(6)—State Planning Commission, Chapter 23
55(8)—Central Inventory Control, Chapter 24
55(9)—Information furnished to Legislature, Chapter 25
61—Chief Bank Examiner, Chapter 50
65—University of Maryland (Veto Overridden), Chapter 14
66—Radio and TV Stations, Libel, Chapter 51
69—Reduction of Income Tax, Chapter 8

VETOED — VETOES SUSTAINED

20(3)—State Police, on call
28(2)—Teachers' Salaries
59—Transfer of State Police Funds

FAILED TO PASS

5—Registration of private school buses (H. B. 28—died in Senate Judicial Proceedings)
11—Uniform Acknowledgments (S. B. 2—died in House Judiciary)
20(1)—Increased Penalty for bookmaking (H. B. 3—died in Senate Judicial Proceedings)
20(2)—Amend House Act as to concealed weapons (H. B. 4—died in Senate Judicial Proceedings—Substitute bill passed)
20(4)—Leased wire services (H. B. 6—died in House Judiciary)
20(5)—Central Records Bureau (H. B. 7—died in House Judiciary)
20(6)—Appeal on quashing of search warrant (H. B. 8—died in House Judiciary)
20(7)—Self-incrimination plea (H. B. 9—died in Senate Judicial Proceedings)
20(8)—Telephone Company to report on extra phones (H. B. 10—died in House Judiciary)
20A(1)—Penalties for Narcotics (S. B. 4—died in Senate Judicial Proceedings)
20A(3)—Lienors of vehicles forfeited on narcotics charges (S. B. 6—died in House Judiciary)
31—Water Pollution (S. B. 11—died in Senate Judicial Proceedings)
34—Judges Pensions (H. B. 11—died in Senate)
36(3)—Refunds of registration fees (Unf. Rep. Senate Finance)
36(5)—Exemption of Class A Veterans (died in House Ways and Means)
48—Robbery with deadly weapons (S. B. 20—died in House Judiciary)
50(1)—Transfer of Racing Days (H. B. 18—died in Ways and Means)
55(3)—Approval of Federal Funds (S. B. 23—died in Senate Finance—Referred back to Council for further study)
55(7)—Board of Public Works may adopt new procedures (S. B. 26—died in Senate Finance—Referred back to Council for further study)
56—Constitutional amendment on veto (H. B. 22—died in House Judiciary)
58—Execution of Judgments (H. B. 23—died in House Judiciary)

The following resolutions of the 1952 General Assembly direct the Council to take certain action:

S. R. 1—Requesting appointment of special committee to study racing in Maryland, the Racing Laws of the State and the administration of those laws by the Maryland Racing Commission.

H. R. 1.—Requesting Council to study possibilities for alleviating the recurring threat of strikes among public utility employees.

H. R. 22—Requesting Council to study Teachers' Retirement System.

H.R. 37—Requesting Council to continue study of off-track pari-mutuel betting.

H. R. 39—Requesting Council to study the Trial Magistrates' System.

H. R. 40—Requesting Council to study workings of Retail Installment Sales Act.

In addition, a resolution was passed requesting the Board of Public Works to furnish the Council with certain information, from time to time, relative to the proposed State Office Buildings in Annapolis and Baltimore City. (H. R. 41.)

Certain items placed on the Legislative Council agenda after the 1951 General Assembly were deferred until after the 1952 Session, as follows:

Item No.
1—Tax Survey Commission recommendations
2—Cash Sickness Insurance
4—Motor Vehicles Inspection
6—Study of Department of Correction (requested by H. R. 66 of 1951)
7—Alcoholism
10—Uniform Law on Ancillary Administration of Estates
14—Compulsory Insurance (study requested by H. R. 77 of 1951)
16—Actuarial Study of State Accident Fund
17—Grade Crossing at Berwyn (study requested by S. R. 21 of 1951)
20—Crime Investigation
21—Report of Department of Welfare
22—Domestic Relations Courts
29—Election Laws
32—Motor Vehicle Financial Responsibility for Minors
33—Aged Veterans Occupational Colony
40—Constitutional limitations on introduction of bills
44—Mortgages—S. B. 181 of 1951
45—Libel by newspapers
47—Library Aid
On motion, made and duly seconded, it was decided to take up for further consideration the following items:

Item No.
11—Uniform Acknowledgments (Judiciary Committee)
20(5)—Central Records Bureau (Judiciary Committee)
20A(1)—Penalties for Narcotics (Judiciary Committee)
20A(3)—Lienors of vehicles forfeited on narcotics charges (Judiciary)
31—Water Pollution (Judiciary)
48—Robbery with Deadly Weapons (Judiciary)
50(1)—Transfer of Racing Days (Special Committee on Racing)
55(3)—Approval of Federal Funds
55(?)—Board of Public Works may adopt new procedures
56—Constitutional amendment on veto procedure (Judiciary)
58—Execution of Judgments (Judiciary)

The list of items deferred until after the 1952 Session was reviewed and the same committee assignments were again given to these items. In addition, it was decided to keep active all items remaining on the committee agendas previous to the 1952 Session.

The six resolutions requesting action by the Council on certain subjects were then assigned to committees, as follows:

S. R. 1 (Item 75)—Relative to Racing (Special Committee)
H. R. 1 (Item 76)—Strikes in Public Utilities (Judiciary)
H. R. 22 (Item 77)—Teachers’ Retirement System (Finance)
H. R. 37 (Item 19)—Pari-Mutuel Betting (Finance)
H. R. 39 (Item 70)—Trial Magistrates System (Judiciary)
H. R. 40 (Item 78)—Retail Instalment Sales (Judiciary)

The following correspondence was then submitted and assigned to committees, as follows:

From Walter L. Green, recommending that twice the amount of a charitable contribution be permitted as a deduction on income tax, under certain conditions. (Item No. 72) Finance.

From R. L. Sebold, recommending change in limit at which wages can be attached. (Item No. 73) Judiciary.

From Sheriff J. C. Deegan, relative to Sheriff’s salary. (Item 74) Finance.

From Senate Finance Committee, recommending premium tax on fire insurance policies for relief and pension funds for volunteer fire companies. (Item No. 79) Finance.
From R. L. Wilson, relative to penalties for car theft. (Item No. 80) Judiciary.

From John G. Turnbull, relative to damages received by infants and incompetents. (Item No. 81) Judiciary.

From Richard W. Case, relative to the assessment problem. (Item No. 82) Finance.

From Hon. Harry T. Phoebus, relative to the Public Service Commission. (Item No. 83) Judiciary.

From Federal Security Agency, relative to jurisdictional status of land occupied by Clinical Center Building of FSA. (Item No. 84) Judiciary.

From Elmer Nolte, relative to the amusement tax. (Item No. 85) Finance.

The Chairman then submitted a letter from St. Mary's Seminary Junior College, inviting the Council to visit that institution in May.

Mr. Riggin then spoke of the problems of the broiler industry on the Eastern Shore and suggested that the Council visit that section.

Mr. Arthur H. Green spoke of the State Planning Commission's recommendations for further development of recreation facilities in Garrett County and suggested that the Council visit that area.

After a brief discussion of the above suggestions, the Chairman appointed the following committee to work out possible inspection trips:

    Senator Louis L. Goldstein, Chairman
    Senator Stanford Hoff
    Hon. John McNulty

Senator Turner then asked that the vote by which Item No. 34, relative to Judges' Pensions, had been stricken off the agenda, be reconsidered, in order that this subject might be re-studied with a view to possible contributions by the judges themselves.

Accordingly, the vote on Item No. 34 was reconsidered and Item No. 34 was placed on the agenda and referred to the Finance Committee.

The Secretary called attention to the fact that the Isaac Walton League's resolution relative to the conservation laws had not previously been referred to a committee, and this item was then referred to Judiciary.

The Chairman then called attention to the fact that the question of mileage allowances to the members of the Council had been deferred until after the 1952 session. A short discussion followed, relative to expenses of the members of the Council in attending meetings and the following committee was appointed to study the subject:

    Senator Omar D. Crothers, Jr., Chairman
    Senator Stanford Hoff
    Hon. Melvin H. Derr

The Council then decided to meet on the first Wednesday of every month, beginning with May 7th.

Meetings of the Judiciary Committee and the Budget and Finance Committee were announced for 7 P. M. on Tuesday evening, May 6th. A special meeting of the committee on Legisla-
tive Council expenses was announced for 6:30 P. M. Tuesday, May 6th.

The Council then adjourned until Wednesday, May 7th, at 11 A. M.

MINUTES
SECOND MEETING
Baltimore, Md., May 7, 1952.

The second meeting of the Legislative Council was held in the City Council Chamber, City Hall, Baltimore, at 11 A. M. on Wednesday, May 7, 1952. The following members were present: Mr. Luber, Vice-Chairman, presiding, and Messrs. Boone, McLaughlin, Derr, Hoff, Robinson, Green, White, Redden, Crothers, Mehnicove, Turnbull, McNulty, Kimble, Goldstein, and Dempsey.

Mr. Boone presented the following report from the Budget and Finance Committee:

REPORT OF THE BUDGET AND FINANCE COMMITTEE
Baltimore, Md., May 6, 1952.

To the Members of the Legislative Council:

The Budget and Finance Committee met at 8 P. M. on May 6, 1952, with the following members present: Mr. Boone, Chairman, presiding, and Messrs. Green, Kimble, Luber, McLaughlin, Redden and Robinson.

The committee reviewed the several items on its agenda and makes the following report to the Legislative Council:

- Item No. 16—Actuarial Survey of the State Accident Fund. Unfavorable report.
- Item No. 36(6)—Registration of School Buses. Unfavorable report.
- Item No. 38—Aged Veterans Occupational Colony. Unfavorable report.
- Item No. 47—State Aid to Libraries. Unfavorable report.
- Item No. 72—Charitable contributions as a deduction from income tax. Unfavorable report.
- Item No. 79—Taxes on Fire Insurance companies. Unfavorable report.

Respectfully submitted,
A. GORDON BOONE, Chairman.

Upon motion, each recommendation of the committee was adopted.

Mr. Boone then presented the following resolution on behalf of the Budget and Finance Committee:
“By the Budget and Finance Committee.

Legislative Council Resolution Recommending the Appointment of Dr. Carl N. Everstine as Acting Director of the Department of Legislative Reference

WHEREAS, the members of the Legislative Council of Maryland have learned with sympathy and regret of the illness of Dr. Horace E. Flack, Director of the Department of Legislative Reference and ex officio Secretary and Director of Research of the Legislative Council; and

WHEREAS, the members of the Council extend to Dr. Flack their affectionate and sincere hopes for a speedy recovery, in order that he might resume his accustomed place in the legislative work of the General Assembly of Maryland and of the City Council of Baltimore; and

WHEREAS, during his enforced absence there is need for the appointment of an Acting Director of the Department of Legislative Reference in order to provide authority commensurate with the responsibility of carrying on the duties of the Department while the Director is ill; and

WHEREAS, the work of the Department during the three weeks of Dr. Flack's absence has been carried on by its regular staff, under the direction of Dr. Carl N. Everstine, Assistant Director of Research of the Legislative Council; and

WHEREAS, Dr. Everstine's eleven years of service as assistant to Dr. Flack have acquainted him with the work and duties of the Department of Legislative Reference, although the fact that his official connection is with the Legislative Council rather than with the Department emphasizes the necessity for a clarification of his position; and

WHEREAS, the selection of the Director of the Department of Legislative Reference is provided for in the Baltimore City Charter, being the responsibility of a special board composed of the Mayor of Baltimore, the City Solicitor of Baltimore, the President of the Johns Hopkins University, the Dean of the Law School of the University of Maryland, and the President of the Association of Commerce of Baltimore City; and

WHEREAS, it is the earnest hope of the Legislative Council that this board will meet again within the near future to name an Acting Director of the Department of Legislative Reference, in order that the work of the Department may be continued without interruption during the illness of the Director, Dr. Horace E. Flack; now, therefore,

Be it resolved by the Legislative Council of Maryland, That the Mayor of Baltimore be requested within the near future to call a meeting of the special board provided for in the City Charter to name an Acting Director of the Department of Legislative Reference, to serve as such during the absence and illness of its long-time Director, Dr. Horace E. Flack; and be it further

Resolved, That the Legislative Council recommends to the special board the appointment of Dr. Carl N. Everstine as Acting Director. His eleven years of experience in the work of the Department have qualified him to carry on this important work with both the General Assembly and the City Council; and be it further
Resolved. That copies of this resolution be sent to the Mayor of Baltimore City, the City Solicitor of Baltimore, the President of the Johns Hopkins University, the Dean of the Law School of the University of Maryland, and the President of the Association of Commerce of Baltimore City."

On motion, this resolution was adopted as read.

Mr. Crothers presented the following report of the Judiciary Committee:

REPORT OF THE JUDICIARY COMMITTEE

Baltimore, Md., May 6, 1952.

To the Members of the Legislative Council:

The Judiciary Committee met at 8 P. M. on May 6, 1952, with the following members present: Mr. Crothers, Chairman, presiding, and Messrs. Della, Derr, Dempsey, Turnbull, Hoff, Melnicove, Riggin, White and McNulty.

The committee considered all the items on the agenda of the committee and makes the following report:

Item No. 58—Execution of Judgments. Favorable report.

The bill submitted at the 1952 session on this subject is submitted for the Council's approval.

Respectfully submitted,

OMAR D. CROThERS, JR., Chairman.

Mr. Crothers also gave a brief oral report as to the items on the committee agenda which had been tabled, these being as follows:

Item No. 4—Motor Vehicle Inspection.
Item No. 10—Ancillary Administration of Estates.
Item No. 14—Compulsory Insurance.
Item No. 20A (1)—Penalties for Narcotics.
Item No. 44—Mortgages.
Item No. 52—Psittacine Birds.
Item No. 54—Lethal Gas Chamber.
Item No. 60—Vocational Training for Veterans.
Item No. 63—Real Estate Brokers Bonds.
Item No. 70—Study of Trial Magistrates System.
Items Nos. 71 and 84—Jurisdictional status of Government property, located in Maryland.
Item No. 73—Attachment of Wages.
Item No. 80—Raising Penalties for Car Theft.

On motion, the favorable report on Item No. 58 was adopted.

The following new matters were presented for the attention of the Council:

House Resolution No. 20 of 1952, concerning the assessment of poultry raised as broilers. (Finance Committee)

House Resolution No. 31 of 1952, concerning an Anti-Subversive Squad in Baltimore City. (Judiciary Committee)

Letter from the Keystone Automobile Club, concerning Maryland's 15-year over-all road program. (Finance Committee)

Letter from Hyman A. Pressman, concerning write-in voting in primary elections. (Judiciary Committee)
Letter from Joseph P. Connor, Register of Wills of Baltimore County, concerning inheritance taxes on joint bank accounts. (Finance Committee)

The Council then went into Executive Session to receive a report from Mr. Crothers on behalf of the Special Sub-committee appointed to study travel and per diem expenses of the Legislative Council. The sub-committee recommended that any member of the Council actually required to stay overnight at a hotel while attending Council meetings be reimbursed in the amount of $8.00 per day. On motion, this recommendation was adopted.

Senator Goldstein reported to the Council on plans made for the trip through Southern Maryland, which was tentatively set for May 23, 24 and 25.

On the motion of Mr. Green, the Council determined to send flowers to Dr. Horace E. Flack during his illness.

On motion, the Council adjourned at 12:30 P. M. to meet at the State House at Annapolis at 9:30 A. M. on Friday, May 23rd.

**MINUTES**

**THIRD, FOURTH AND FIFTH MEETINGS**

The third, fourth and fifth meetings of the Legislative Council of Maryland were held on May 23, 24 and 25.

The Council was engaged in traveling through the five counties of Southern Maryland studying local conditions and occupations, conferring with local officials and visiting State and Federal installations in this area.

The members of the Council met in the State House at Annapolis at 9:30 A. M. on May 23. They went by motor car to the Planters' Warehouse near Upper Marlboro to observe the auctioning of loose leaf tobacco. Next, they went to the drying plant operated by Gieske and Niemann, which firm buys considerable tobacco for the French and Swiss markets.

The Council then journeyed to the Prince George's County Courthouse in Upper Marlboro, where they met and conferred with the County Commissioners and other local officials. Next, the members spent a short time at the home of Congressman Lansdale G. Sasscer in Upper Marlboro, where they were entertained by Congressman and Mrs. Sasscer. The group then traveled to the Hawthorne Country Club near La Plata, where they were entertained for lunch by the County Commissioners of Charles County. Senator James B. Monroe and Delegate Perry O. Wilkinson also attended this lunch.

After leaving the Country Club, the Council traveled to St. Mary's County. They were met at the County line by Senator Paul J. Bailey and by Delegates Roland B. Duke and Henry J. Fowler. The entire group then inspected the St. Mary's County Memorial Library, which occupies an old, reconverted colonial mansion known as "Tudor Hall". The Council was conducted through the building by Miss Eloise Pickrell, Librarian. Miss Pickrell also had on hand for inspection the bookmobile operated by this library and discussed with the members of the Council the need for additional State funds in the operation of County libraries throughout the State.
The members of the Council then were taken to the Sotterly estate, fronting on the Patuxent River in St. Mary's County. This estate was the home of Governor George Plater who was born there in 1730 and who became one of the colonial governors of Maryland. The members of the Council then were entertained at dinner at the Leonardtown Wharf by the St. Mary's County Businessmen's Association, of which the Hon. Roland B. Duke is president.

The members of the St. Mary's County Board of County Commissioners and the Hon. Joseph D. Weiner, one of the Commissioners of the State Accident Fund, also attended this dinner.

On May 24, the Council had a long tour through the Patuxent Naval Air Base Station in St. Mary's County. From there, they traveled to St. Mary's City and met for a brief period in the old State House at noon. The Chairman announced the appointment of Carl N. Everstine as Acting Director of the Department of Legislative Reference.

The Chairmen of the Judiciary and the Budget and Finance Committees announced meetings of these committees at 7:30 P. M. on Tuesday, June 3rd.

Mr. Robinson recommended that the General Assembly should meet in the old State House on one day of every session. Possible dates for such a meeting were discussed.

Senator Goldstein expressed the appreciation of the Council for the splendid hospitality to the Council by the people of St. Mary's County.

The Council then was taken on a tour of inspection of St. Mary's Seminary Junior College, after which the members were guests at lunch of Miss May Russell, President of the College.

The members of the Council boarded the State yacht “Potomac” at St. Mary's City and traveled by boat to Solomons' Island in Calvert County. Senator Kimble joined the party at this point. Following dinner, the Council had an extended meeting with a group of residents of Solomons' Island, at which there was considerable discussion of the State wharf owned by the Department of Research and Education and also about possible improvements to the old Naval Base located there. Dr. R. V. Truitt, Director of the Department of Research and Education, attended the meeting.

The next day, May 25, the members of the Council traveled by boat to Annapolis. There the Council adjourned to meet again in Baltimore on Wednesday, June 4th.

Those present at the above meetings were Messrs. Della, Luber, Goldstein, Grothers, Turner, Hoff, Melnicove, Redden, McLaughlin, Turnbull, Boone, Dempsey, McNulty, Green, Riggin, and Robinson. Senator Louis N. Phipps of Anne Arundel County and Senator John Raymond Fletcher of Prince George's County also traveled with the party. Senator Arthur Brice, Chairman of the Department of Tidewater Fisheries, and Captain Amos Creighton of the State yacht “Potomac” joined the Council at St. Mary's City.
MINUTES
SIXTH MEETING

Baltimore, Md., June 12, 1952.

The sixth meeting of the Legislative Council of Maryland was held in the City Council Chamber, City Hall, Baltimore, at 11 A.M. on Wednesday, June 4, 1952. Those present were: Mr. Della, Chairman, presiding, and Messrs. Goldstein, Crothers, Turner, Hoff, McLaughlin, Derr, Robinson, White, Lofstrand, Turnbull, Boone, McNulty, Melnicove, Luber, Green, Dempsey and Redden.

The Chairman submitted a letter from Senator Crothers, containing a list of matters which the Committee on Judicial Proceedings of the Senate had referred to the Legislative Council for study. They were bills submitted at the 1952 session, as follows: Senate Bills 11, 61, 65, 66, 70 and 95 and House Bills 9, 47, 57, 60 and 73, which were sent to the Judiciary Committee, and Senate Bill 70 and House Bills 54 and 56, which were assigned to the Budget and Finance Committee.

Letters were read and assigned to committees, as follows:

From Hon. Anselm Sodaro, State's Attorney of Baltimore City, concerning an extension of the term of grand juries. (Judiciary Committee)

From Mr. Carl F. Gail, concerning the sale of Fireworks by mail. (Judiciary Committee)

From Hon. Anselm Sodaro, State's Attorney of Baltimore City, concerning the trial of certain motor vehicle cases in criminal court. (Judiciary Committee)

Resolution of the City Council of Baltimore, concerning examinations for Baltimore City Policemen. (City Members of Legislative Council, with Mr. Robinson, as Chairman)

From Mr. Benjamin F. Wolfson, Deputy Commander of the American Legion, requesting to be notified of any contemplated action involving Veterans Preference in the State Merit System.

From Mr. Paul C. Wolman, Jr., Law Clerk to Judge Soper, concerning the possible invalidity of the title of the Uniform Act to Secure the Attendance of Witnesses in Criminal Proceedings. (Judiciary Committee)

From Mr. Theodore C. Waters, Jr., Assistant State's Attorney of Baltimore City, concerning a clarification in the bastardy laws. (Judiciary Committee)

From Senator John G. Turnbull, recommending that attorneys be permitted to express objections in the absence of the jury to a charge by the Court. (Judiciary Committee)

Resolution passed by the Boy-Assembly, recommending a new institution in Maryland for Juvenile Delinquents. (Budget and Finance Committee)

From Mr. Albert A. Block of Annapolis, suggesting an amendment to the Alcoholic Beverages Laws, covering unlawful solicitations for sales. (Budget and Finance Committee)

Mr. E. J. Moran, President of the Maryland Industrial Union Council, C. I. O., presented on behalf of that body a series of recommendations for amendments to the laws on unemployment compensation. The recommendations were as follows:
1. Section 3(b)(1)—a. The weekly benefit amount to be computed by dividing the highest calendar quarter wages by 20 instead of 26; b. Increase of maximum benefits to $30.00 per week.

2. Sec. 3(b)(2)—Partial weekly benefits to be in excess of $5.00 instead of $2.00.

3. Sec. 3(ba)—Dependent benefits to be paid from the General Fund.

4. Sec. 3(c)—Duration of benefits to be computed by one-third base period wages.

5. Sec. 4(e)(1)—Base period wages equal to not less than 26 times weekly benefit amount.

6. Sec. 5—Comments on disqualification.

7. Sec. 7(6)—Establish a floor of $100,000,000.00 to the fund, and establish calendar quarter changes.

8. Sec. 11(c)—Comments on Advisory Councils.

9. Sec. 19(n)(1)—Increase taxable wages to $3,600.

10. Sec. 19(q)—No change in the benefit year.

11. Comments on an intervening period upon drawing 26 weeks of benefits.

The Council then recessed until 2:30 P. M.

2:30 P. M.

Delegate Boone, Chairman of the Budget and Finance Committee, submitted the following report:

REPORT OF THE BUDGET AND FINANCE COMMITTEE
Tuesday, June 3, 1952.

To the Members of the Legislative Council:

The Budget and Finance Committee met at 7:30 P. M. on Tuesday, June 3, 1952. Those present were: Mr. Boone, Chairman, presiding, and Messrs. Goldstein, Green, Lofstrand, Luber, McLaughlin and Turner.

The Committee considered a number of matters on its agenda and makes the following report to the Legislative Council:

Item No. 74—Salary of Sheriff of Baltimore City to be set by Statute.

Favorable Report

Respectfully submitted,

A. GORDON BOONE, Chairman

On motion, the report of the committee was adopted.

Senator Crothers reported on the work which had been done by the Judiciary Committee on studying the election laws and on the hearing which had been held by his committee on Item No. 29. On motion of Senator Crothers, it was decided that the Chairman of the Council should appoint a special committee on election laws, to be composed both of members of the Council and of other persons familiar with the laws.
The Chairman appointed the following committee:

Omar D. Crothers, Jr., Chairman,
Stanford Hoff
Edward Turner
Louis L. Goldstein
Thomas F. Dempsey
Leroy Pumphrey
Richard W. Emory
J. Edgar Harvey
Carl N. Everstine

Hon. Simon Sobeloff, Chairman of the Commission on Administrative Reorganization of the State Government, presented to the Council the Second Report of that body, relating to the problem of Home Rule for the Political Sub-divisions. Mr. Sobeloff spoke generally as to the difficulties concerned and introduced Mr. Enos S. Stockbridge who had served as chairman of the special sub-committee on Local Legislation on behalf of the Sobeloff Commission. Mr. Stockbridge estimated that the adoption of the proposals made to the Legislative Council and to the General Assembly would reduce the volume of legislation before the General Assembly by thirty percent. He stated also that even though the Constitutional amendments were adopted, there would have to be statutory legislation covering (1) the classification of municipalities; (2) the method of amending existing town charters; and (3) the incorporation of new municipalities. These proposals were referred to the Judiciary Committee.

Senator Crothers announced a meeting of the Judiciary Committee and Mr. Boone announced a meeting of the Budget and Finance Committee, both to be held at 7:30 P. M. on the evening of July 8.

The Council adjourned at 3:30 P. M. to meet again on Wednesday, July 9, at 11 A. M.

MINUTES

SEVENTH MEETING

Baltimore, Md., July 9, 1952.

The seventh meeting of the Legislative Council was held at 10:30 A. M. on July 9, 1952, in the City Council Chamber, City Hall, Baltimore. Those present were: Senator Della, Chairman, presiding, and Messrs. Luber, Goldstein, Crothers, Kimble, Turner, Hoff, Melnicove, Redden, McLaughlin, Turnbull, Boone, Dempsey, White, McNulty, Green, Derr and Robinson.

The Council conducted a hearing, attended by the Maryland Municipal League, concerning the report on Local Government recently submitted by the Sobeloff Commission. Mr. Enos Stockbridge, Chairman of the Sub-committee of the Sobeloff Commission which made the report on Local Government, made a very brief statement as to the report.

Mayor Herman L. Mills, Mayor of Hagerstown and President of the Maryland Municipal League, stated that 83 Maryland municipalities are members of this League and that they unanimously endorse the general principle of municipal home rule.

He introduced other members of the League who were present, including the Mayors of Frederick, Cumberland, Frostburg, Mt. Airy and Easton, as well as the City Auditor of Cumberland.
Mayor Lamar Kelly of Rockville also spoke, discussing the support by the League of home rule bills in the past. He read a resolution passed by the League at its annual meeting in June, 1952, endorsing the principles of the report on Local Government by the Sobeloff Commission.

Letters were read from the following persons:

Judge Herman M. Moser, relating to the drunken driving and manslaughter law. (Judiciary Committee)

State Law Department, relating to the censoring of motion picture films. (Judiciary Committee)

Maryland State and District of Columbia Federation of Labor, enclosing a resolution concerning wages, working conditions and unlawful practices in penal and mental institutions. (Judiciary Committee)

Judge Allan W. Rynhart, Chief Judge of the People's Court of Baltimore City, concerning making this a court of record. (Judiciary Committee)

Letters were also received from Senators Fraley and Bailey, concerning the appointment of judges in counties which do not now have a judge. These letters were referred to the Commission appointed by the Governor to study the Judiciary of the State.

Senator Kimble, at the request of employees of the State Roads Commission, asked the Council to investigate why certain employees on weighing crews do not receive the same sick and vacation leave as is extended to other employees of the State Roads Commission. As a Special Sub-committee to confer with the State Employment Commissioner and the State Roads Commission on this subject, the Chairman appointed Senator Goldstein, Chairman, and Messrs. Kimble and McNulty.

Senator Crothers, Chairman of the Judiciary Committee, then submitted the following report:

REPORT OF THE JUDICIARY COMMITTEE

Baltimore, Md., Tuesday, July 8, 1952.

To the Members of the Legislative Council:

The Judiciary Committee of the Legislative Council met on Tuesday evening, July 8th, 1952, at 7:30 P.M., in Room 309, City Hall, Baltimore, with the following members present: Mr. Crothers, Chairman, presiding, and Messrs. Turnbull, Della, Dempsey, Derr, Hoff, Melnicove, White and McNulty.

After consideration of the several sub-committee reports received at this meeting, the Judiciary Committee makes the following report:

Item No. 11—Uniform Acknowledgments. Favorable report.

The third reading file version of S.B. 2 of 1952 is to be submitted for the approval of the Council.

Item No. 20 (5)—Central Records Bureau. Favorable report.

The Committee recommends that H. B. 7 of 1952 be amended to include a provision that fingerprints be taken of every person sentenced to a correctional institution, the prints to be filed with the Central Records Bureau. The provision might be similar to the New Jersey law on this subject, which provides that wardens, jailers or keepers of workhouses, jails, reformatories, peniten-
tiaries or other penal institutions shall furnish the Bureau with fingerprints and photographs of all prisoners who are or may be confined in the respective institutions.

Col. Munshower, Superintendent of Maryland State Police, has estimated that it would cost $33,319.35 to set up the proposed Bureau and approximately $28,460.00 to carry it on after the equipment is paid for. That is, it is estimated that the annual labor cost would be approximately $28,000.00 and that the equipment would cost some $5,000 additional for the first year.

Item No. 89—Judges—one from each County.

This item is being deferred until the Report of the Governor's Commission on the Judiciary is submitted. The Special Subcommittee on this subject will keep in touch with the Governor's Commission as to this item.

Item No. 95—Extension of the terms of Grand Juries. Unfavorable report.

Item No. 101—Court Procedure—objections by attorneys. Favorable report.

The Committee recommends that the bill should provide that it be mandatory that objections be made out of the hearing and presence of the jury.

Item No. 91—Speed testing by radio micro-wave. Favorable report.

The Committee recommends that the bill on this subject should provide that highways on which this device is used should be clearly so marked.

Item No. 97—Trial of certain motor vehicle cases. Favorable report.

The Committee recommends that, instead of giving the Criminal Court complete jurisdiction over manslaughter cases by motor vehicle operators, as suggested by the sponsor of this item, the Traffic Court of Baltimore City should be given original jurisdiction over the said cases. This would make the law relating to Baltimore City uniform with that of the counties where the magistrates' courts now have this jurisdiction.

Proposed drafts of bills on the above items will be submitted later.

Respectfully submitted,

OMAR D. CROTHERS, JR., Chairman.

The report of the Judiciary Committee was approved by the Council. A roll call vote on Item No. 91 was called for and was recorded, as follows:

Aye—Della, Luber, Crothers, Hoff, Redden, McLaughlin, White, McNulty, Derr.

Nay—Goldstein, Kimble, Melnicove, Boone, Green.

The Council then made plans for an inspection trip to the counties of the Lower Eastern Shore, to be held on August 14, 15 and 16.

Senator Kimble spoke briefly of the study which had been made of recreational opportunities in Western Maryland. He asked the Council to visit this area in September, in order to give further and more intensive study to the economic and recreational
possibilities of Western Maryland. Mr. Green suggested that such a trip should be made in October. The Chairman then took these possibilities under advisement.

The Council adjourned at 12:30 P. M. to meet again on August 14th.

MINUTES
EIGHTH, NINTH AND TENTH MEETINGS
Lower Eastern Shore, August 14, 15 and 16, 1952.

The eighth, ninth and tenth meetings of the Legislative Council were held on August 14, 15 and 16. The members of the Council were engaged in travelling throughout the counties of the Lower Eastern Shore, meeting with local officials, inspecting State institutions in this area and touring through a number of more important industrial plants. All members of the Council were present for the three-day tour.

The Council first met at 10:00 a.m. on August 14, in Denton, where the members were luncheon guests of Senator and Mrs. Layman J. Redden. From this point, the members travelled to Cambridge, where they inspected the Phillips Packing Plant and the Cambridge Wire Cloth Corporation.

After these two inspections, the Council visited the Eastern Shore State Hospital, being conducted on a tour by Dr. Robert G. Blackwelder, Superintendent. The members were much impressed with the new addition rapidly being completed.

Before leaving Cambridge, the members of the Council visited the Cambridge Yacht Club for a short social visit with Senator Frederick Malkus and other members of the Dorchester County Delegation.

They then travelled to Salisbury, where they were the dinner guests of Mr. Marshall Stewart at the Salisbury Country Club.

On the morning of August 15, the Council travelled to the Ches-Peak Chicken Hatchery operated by Armour and Co. This plant raises nearly three-quarters of a million chickens annually and regularly processes some eighteen or twenty thousand chickens in a normal working day.

Following this inspection trip, the members of the Council visited the Deer's Head State Hospital at Salisbury. They were conducted through the hospital by Dr. Robert H. Riley, Director of the State Department of Health, and a number of the officials of the hospital. The members of the Council were much impressed with the facilities offered at Deer's Head and with the efficiency of the operation of this hospital.

The Council then met for lunch at the Wicomico Hotel in Salisbury, to which the County Commissioners and the legislative delegations from Wicomico, Worcester and Somerset Counties had been invited. Mr. W. F. Messick, Chairman of the Board of County Commissioners of Wicomico County, welcomed the Council to Salisbury. Mr. Samuel Shoekley, a member of the Board of County Commissioners of Worcester County mentioned the delay in getting new buildings on the assessment books and asked that this situation be corrected. He also mentioned the need for additional zoning laws, particularly near main highways.
Mr. L. Creston Beauchamp, a member of the Board of County Commissioners of Somerset County, also welcomed the Council. Mr. Wade Insley, a member of the Board of County Commissioners of Wicomico County, stated that the present zoning act has no penalty for a failure to get a building permit. He asked generally for additional powers of home rule for the counties.

Senator Della and Messrs. Luber, Boone and Robinson took part in the general discussion which followed concerning home rule, zoning and roadside control.

Following lunch at Salisbury, the members of the Council went to Cluff’s Hatchery in Somerset County. They next visited the Briddell plant near Crisfield and then went to a crab-house in Crisfield. Following their inspection trips, the Council was entertained at dinner at the Crisfield Hotel.

Hon. J. Millard Tawes, State Comptroller, was present to welcome the Council, as were Mayor Egbert Quinn and Mr. John Tawes, a member of the Tidewater Fisheries Commission. Mr. Quinn spoke of the establishment of a ferry system across the Lower Bay, going from Crisfield to some point on the Western Shore. Others who were present were Mr. Charles Dryden, a member of the Crisfield City Council, Mr. Otis Evans, a member of the Crisfield City Council and also Chairman of the Watermen’s Association of Somerset County, Mr. Norman Dryden, a member of the Board of County Commissioners of Somerset County, Senator Harry Phoebus. Messrs. Lloyd Simpkins, J. Ellis Tawes, members of the House of Delegates, Mr. Anselm Sodaro, State’s Attorney of Baltimore City and Mr. Thomas Briddell were also present.

Messrs. Della, Luber, Green, Kimble, Goldstein, Boone, Crothers and Dempsey joined in the general discussion concerning the proposed ferry system and stated the appreciation of the Council for the hospitality which had been shown them.

On the morning of August 16, the Council travelled to Pocomoke City. Part of the trip was through the Pocomoke State Forest. The members of the Council were accompanied by Mr. Ernest A. Vaughn, Director of the Department of Game and Inland Fish, and Mr. John Mohr, District Forester. Mr. Vaughn and Mr. Mohr explained in detail the State’s present program of forestry in this area.

The Council went to Melbourne’s Landing, where they were met by Senator Ralph Mason and by Messrs. Robertson and Shockley, members of the House of Delegates from Worcester County. Hon. Miles Lankford, a member of the Commission of Forests and Parks, also was present to welcome the Council and to explain the program being carried on in Worcester County.

The Council then travelled by boat along the Pocomoke River to Pocomoke City, where they were the luncheon guests of Mrs. Myrtle Polk, member of the House of Delegates.

Following luncheon, Delegate Robertson recommended that the Council ask the Governor to place in the budget matching funds so that Worcester and Wicomico Counties could be aided in cleaning out the upper part of the Pocomoke River. This part of the river and its tributaries, he said, have filled up with debris because of the work done on the upper part of the Pocomoke River in Delaware.

Mr. Robertson stated that he had bought an old clock which was found discarded in the State House and invited the members
to see it in his home. He recommended that it be placed in the old Senate Chamber as a gift from him.

Former Mayor D. W. Ross and Mayor G. F. Matthews of Pocomoke City joined in welcoming the Council. Mr. Matthews mentioned that an appropriation of approximately $12,000 was needed as a guarantee against possible injury to private oyster grounds by reason of dredging operations in Pocomoke Sound.

Senator Kimble stated that the State administration is highly sympathetic to the needs and wishes of residents of the Eastern Shore.

Messrs. Green, Goldstein and Crothers expressed the appreciation of the Council for the hospitality which had been extended to them.

Mr. Crothers mentioned that September 25 had been tentatively set for the beginning of an inspection tour of the counties of the Upper Eastern Shore.

The Council then adjourned to meet in Baltimore on September 10th at 11:00 a.m.

MINUTES

ELEVENTH MEETING


The eleventh meeting of the Legislative Council of Maryland was held on Wednesday, September 10th, at 2 P. M., in the City Council Chamber, City Hall, Baltimore, with the following members present: Mr. Luber, Vice-Chairman, presiding, and Messrs. Goldstein, Crothers, Turner, Hoff, Melnicove, Redden, McLaughlin, Turnbull, Boone, Dempsey, Lofstrand, White, McNulty, Green, Derr and Robinson.

Mr. Crothers gave a brief resume of plans for the Council's trip to the Upper Eastern Shore Counties on September 25, 26 and 27.

Mr. Boone, Chairman of the Budget and Finance Committee, then submitted the following report:

REPORT OF THE BUDGET AND FINANCE COMMITTEE


To the Members of the Legislative Council:

This committee met at 10:30 A. M. on Wednesday, September 10th, 1952, with the following members present: Mr. Boone, Chairman, presiding, and Messrs. Luber, Goldstein, Redden, McLaughlin, Robinson, Turner and Green.

The committee discussed the several items on the agenda and makes the following recommendations:

Item No. 110(2)—Readers' fees for blind persons. Unfavorable report.

Item No. 116—Dredging the Pocomoke River. Unfavorable report.
Items 92 and 93—Alcoholic Beverages. The sub-committee appointed to study these items submitted the following report:

**REPORT OF THE SUB-COMMITTEE ON ITEMS 92, 93**

To the Members of the Budget and Finance Committee:

Your sub-committee to study the subject of House Bill 54 (Item No. 92) and House Bill 56 (Item No. 93), introduced in the 1952 session of the General Assembly, herewith makes the following recommendations:

1. We recommend that House Bill 54, which calls for confiscation of motor vehicles, etc., be abandoned. It is obvious to this sub-committee that the General Assembly of Maryland is not disposed to go as far as our neighboring states of Pennsylvania and Virginia in this regard.

2. We recommend that House Bill 56, with amendments, be adopted by your committee and recommended to the Legislative Council for its approval. The amendment would delete the language at the end of the bill which directs the Governor to make available to the Enforcement Unit the services of State Police men. This language has been objected to by several members of your committee and we have therefore eliminated the offending language.

This report is adopted because we believe that the time has come in Maryland for the establishment of an Enforcement Unit in the Comptroller’s Office to protect State revenues and to detect the following:

1. The illegal importation of alcoholic beverages into this State;
2. The illegal manufacture of alcoholic beverages in this State;
3. The transportation and/or distribution throughout this State of alcoholic beverages which were manufactured illegally and/or on which any alcoholic beverage taxes imposed by this State are due and illegally unpaid;
4. The manufacture, sale, barter, transportation, distribution or other form of owning, handling or dispersing alcoholic beverages by any person, persons, association or corporation not licensed or authorized therefor under the provisions of Article 2B.

Our committee met with Mr. Roger Laynor, Chief, Alcoholic Beverages Division, State Comptroller’s Office, and representatives of all phases of the alcoholic beverage industry in Maryland. Everyone was in agreement on the recommendations contained in this report.

We call attention to the fact that in the Comptroller’s Report mailed to members of the General Assembly on July 31, 1952, the item on “Alcoholic Beverages Excise Taxes” shows that for the fiscal year ending June 30, 1952, the receipts from taxes on liquor was $800,000 less than the Board of Revenue Estimates revision of December 6th, 1951. This decrease in revenue is alarming.

We also call attention to the fact that bootlegging in Maryland has increased. We append hereto copy of editorial from The Sun of August 6, 1952.
It will be noted that this recommendation does not call for any change in the substance of the liquor law itself. This recommendation merely provides for a responsible agency to enforce the alcoholic beverage laws which now stand on the statute books. Through its control over the budget, the Legislature will maintain close control over the size of the Enforcement Unit and the appropriations therefor.

We trust that this report will be favorably received by the Committee on Budget and Finance.

Respectfully submitted,

JEROME ROBINSON, Chairman
JOHN C. LUBER
DAVID K. MCLAUGHLIN.

Editorial from The Sun, Wednesday, August 6, 1952:

"THERE'S MONEY IN BOOTLEGGING THESE DAYS"

Two cases of alleged bootlegging were reported in Maryland over the week-end. One was on the Eastern Shore and the other in Anne Arundel County.

This is reminiscent of prohibition days, when charges of the illegal possession, manufacture and sale of liquor were of daily occurrence. The arrests made on the Eastern Shore near Cambridge were said to be the largest roundup in five years. The authorities stated that the persons charged had been under observation for several months.

Could the two incidents be interpreted as marking a trend? There is serious risk involved in bootlegging. The incentive to take the risk is in direct proportion to the difference in cost between legal whisky, which has paid all the various taxes, and illegal whisky, which has paid only a part of the taxes or none at all.

The Federal tax on domestic whisky is now $10.50 a gallon. The State tax is $1.25 a gallon. In Baltimore City there is as well a tax of 50 cents a gallon. On top of all that there is the State's two per cent. sales tax. A purchaser of whisky retailing at $20 a gallon or $4 a fifth, therefore is actually paying more than 50 cents in taxes.

Where a tax is so high that it encourages wholesale law violations, the point eventually is reached where the increased cost of enforcement exceeds the increase in revenue from a higher tax. In that case the fundamental purpose of the tax is defeated. The question might be raised as to whether whisky can stand a higher tax than it now has without succumbing to the law of diminishing returns, and without encouraging the kind of rottenness that we associate with prohibition."

A bill to carry out Item No. 93 is submitted herewith.

Respectfully submitted,

A. GORDON BOONE, Chairman.

The report of the Budget and Finance Committee was adopted, with Messrs. Goldstein and McNulty voting "no" on Item 116 and Mr. Goldstein not voting on Item 98.
The Secretary then submitted the following correspondence which has been received since the July meeting of the Council. Some of the recommendations had been referred to committees by the Chairman during the interim between Council meetings, in order that committee discussion would not be unduly delayed. They are listed here merely for the record:

From J. Milton Patterson, referring to the Council the report of the Interstate Conference on Non-Support Legislation. (Judiciary)

From Hon. Charles M. See, relative to the correction of an error in S. B. 39 of 1962, as to blinded veterans. (Budget and Finance)

From Hon. Charles M. See, relative to readers' fees for blind persons. (Budget and Finance)

From Joseph McCusker, forwarding recommendation as to the collection of Inheritance Taxes on Joint Bank Accounts. (Budget and Finance)

From Hon. S. Pete Pollack, relative to wire-tapping and to alcoholic beverages licenses. (Judiciary)

From Hon. Hall Hammond, Attorney General, relative to the indexing of land and chattel records. (Judiciary)

From Dr. Joseph T. Singewald, Director, Department of Geology, Mines and Water Resources, relating to gas and oil wells. (Budget and Finance)

From Hon. John Grason Turnbull, forwarding recommendation from Maryland Police Association, relative to pedestrians walking facing traffic. (Judiciary)

From Hon. Jerome Robinson, requesting that a special sub-committee of the Council be appointed to investigate the policy of the University of Maryland in denying housing accommodations on the campus to female students from Forest Park High School, Baltimore, Md.

The Vice-Chairman, Mr. Luber, then appointed the following special sub-committee:

Mr. Derr, Chairman; Mr. Dempsey, Mr. Robinson, Senator Crothers, Senator Kimble.

Mr. Hoff then moved that the scope of this special sub-committee be enlarged to investigate housing conditions generally at the University of Maryland, with special emphasis on the proportion of out-of-state students to Maryland students accommodated in the dormitories. The Council voted to adopt Mr. Hoff's motion.

From Mr. Frank H. Webb, Commander, Department of Maryland, Veterans of Foreign Wars, enclosing resolution relative to Civil Defense. (Finance)

From Metropolitan Baltimore City Licensed Beverage Association, Inc., asking for a hearing in regard to personal property taxes on stock and fixtures. (Budget and Finance)

From James N. Phillips of the Maryland State Department of Amvets, enclosing resolution relative to the observance of a minute of silent prayer at the installation of public officials. (Judiciary)
From J. C. Friend of Swanton, Md., relative to unemployment insurance as to employees of the Department of Forests and Parks. (Budget and Finance)

Mr. Luber announced the appointment of a special sub-committee consisting of Mr. Luber, Chairman, and Messrs. Lofstrand and White, to meet with the representatives of the Department of Public Improvements to discuss the installation of loudspeakers in the House of Delegates. The first meeting of this sub-committee was announced for Wednesday, September 17th, at 11 A.M., in Mr. James O'Donnell's office in the Department of Public Improvements.

Hon. Simon E. Sobeloff, Chairman of the Commission on the Reorganization of the State Government, then appeared before the Council to present the third report of the Commission on the subject of "State Local Fiscal Relations." He introduced Mr. Enos S. Stockbridge, chairman of the sub-committee which considered this subject.

Mr. Stockbridge explained that the study was undertaken as a result of two resolutions referred to it by the General Assembly of Maryland, both of which requested that such a study be made. The Commission normally would not have touched such a subject since it does not affect the organizational plan of the State government.

Mr. Stockbridge said that the report deals generally with the subject of fiscal relations between the State and its sub-divisions but does not recommend what taxes should or should not be imposed. It merely clarifies the problem and suggests certain types of taxes which could best be handled on a local level and what limits should be put on the distribution of State taxes.

The question of the repeal of the State real estate tax was referred to the Commission for study and Mr. Stockbridge stated that it was the Commission's opinion that the real estate tax should be a local tax and that the State should not impose it any longer than absolutely necessary. It should not, however, be touched, Mr. Stockbridge stated, until outstanding indebtedness had been liquidated. Long-range plans for its elimination should be undertaken.

The Commission's recommendation is that the repeal of the real estate tax not be done by Constitutional amendment prohibiting its imposition. The Commission feels that this would be a dangerous procedure since an emergency situation might rise in which the State would have serious need of such a tax. It would also most certainly affect the sale of State bonds. The recommendation is merely for its eventual non-use rather than for any direct repeal of the tax.

The chairmen of the Budget and Finance and the Judiciary Committees announced meetings of their committees for Tuesday, October 7th, at 7:30 P.M. in the City Hall, Baltimore.

Mr. Green reminded the Council of its tentative plans to visit Western Maryland in October and the latter part of October was mentioned as a possible time for such a visit.

Senator Crothers announced that the Judiciary Committee would meet immediately after adjournment of the Council meeting to receive reports of sub-committees.

The Council then adjourned to meet on Wednesday, October 8th, 1952, at 10:30 A.M.
MINUTES

TWELFTH, THIRTEENTH AND FOURTEENTH MEETINGS

The Legislative Council met for its twelfth, thirteenth and fourteenth meetings during a trip to the Upper Eastern Shore Counties on September 25, 26 and 27, 1952. Those members of the Council who took part in part or all of the inspection trip were as follows: Mr. Della, Chairman, and Messrs. Luber, Goldstein, Crothers, Kimble, Turner, Hoff, McLaughlin, Turnbull, Boone, Dempsey, White, McNulty, Green, Riggin and Derr.

The members of the Legislative Council met for their inspection tour at the east end of the Susquehanna River Bridge at 10:00 A.M. on Thursday, September 25. At this point, they were joined by Delegates William W. Bratton and Guy Johnson, both from Cecil County, who remained with the Council during this day's tour.

The first stop was at Perry Point Veterans Hospital near Perryville, where the Council was greeted by Dr. Peter A. Peffer, Manager of the Hospital. Dr. Peffer in a short statement to the Council mentioned five problems which are particularly worrying to the administration of the Hospital.

First, Dr. Peffer pointed out that the residents of the Perry Point Hospital property, because of living on a Federal reservation, do not have the voting franchise in Maryland. He stressed that all residents paid State taxes and added his belief that they should have the voting franchise.

Secondly, Dr. Peffer recommended the free use of the Susquehanna Bridge for residents of Cecil and Harford County. During the subsequent discussion it was brought out that perhaps these residents could be given windshield stickers or a book of tickets on an annual basis, so that they could have frequent and very cheap passage over the bridge with as little trouble as possible in securing the necessary tickets.

Dr. Peffer next mentioned his hope that a joint sewage project for the Perry Point Hospital and the town of Perryville could be accomplished. He said that he would favor a sewage disposal plant away from the reservation on which the Hospital is located.

Next, Dr. Peffer mentioned the traffic congestion at the intersection of Route 40 and Aiken Ave. He mentioned the possibility of having either a cloverleaf intersection or additional traffic lights.

Finally, Dr. Peffer mentioned the frequency of motor vehicle accidents on the Susquehanna River Bridge and recommended that perhaps an island should be constructed across the bridge in the middle of the traffic lanes.

The Council next visited the Bainbridge Naval Training Center, where they were greeted by Captain Clifford A. Fines, Administrative Head of the Station, on behalf of the United States Navy. Captain Fines detailed a number of junior officers to accompany members of the Legislative Council on a complete tour of the Bainbridge property.

The Council next went to the Conowingo Dam across the Susquehanna River, where they were greeted by Mr. Paul Lefever, Mr. Frank Blake and other officials of the Philadelphia Power Co. The members of the Council then were taken on a complete
tour of inspection of the generating plant, after which they were
guests of the Power Company at Belle Manor for lunch.

Senator Paul McNabb of Harford County met the Council at
Conowingo Dam and also attended the luncheon with them.

Senator Crothers, a member of the Council, presided at a busi-
ness session which was conducted at Belle Manor following the
luncheon. He presented first Captain Clifford A. Fines of the
Bainbridge Naval Training Center. Captain Fines mentioned
two particular problems of Bainbridge authorities. First, is the
very acute housing situation and the strong need for additional
housing facilities. Secondly, he said, the roads in the vicinity
of Bainbridge, are heavily overtaxed. In this regard, he men-
tioned particularly Route No. 222, which passes directly in front
of the Bainbridge property.

All three members of the Board of County Commissioners of
Cecil County also attended the luncheon at Belle Manor. They
were Mr. Thomas Kay, President, and Messrs. Ira Moore and
Harvey Simmers.

The three County Commissioners were introduced and Mr.
Kay, President of the Board, made a short statement to the
members of the Council. He mentioned that their particular
problems concerned the financing of roads and schools and asked
if Cecil County might have local control over the speeds and
weights of motor vehicles traveling on county roads.

Mr. Kay mentioned also that within recent years the school
budget of Cecil County has quadrupled. He cited the competitive
disadvantage of Cecil County as to tax rates. The nearest county
in Delaware adjoining Cecil County has a ninety cent tax rate
in comparison to the tax rate of $1.38 in Cecil County. This
matter of competition, he stressed, is important to the county in
its effort to attract additional units of industry to that county.
Mr. Kay mentioned also the task of educating children from the
Federal reservations. He asked that additional State aid be
given either for teachers' salaries or for the building fund.

Finally, Mr. Kay mentioned one criticism which the Commis-
sioners of Cecil County have concerning the new assessment law
passed at the 1952 session. It is the belief of the officials of
Cecil County that the new assessment figures should be applied
immediately rather than waiting until the end of the three-year
cycle. Also, he said, he would be in favor of keeping the govern-
ing supervision of the State Tax Commission in the present
assessment set-up.

Senator Della expressed the appreciation of the members of
the Legislative Council for the hospitality extended to them.

The Council then visited a number of local industries in Cecil
County. First, they met with Mr. Martin Dwyer, President of
Aerial Products, Inc., at Elkton. This company is extensively
engaged in the manufacture of pyrotechnic devices for the armed
services and an interesting demonstration was put on for the
benefit of the members of the Council.

Next, the Council inspected the plant of the Prairie Schooner
Co., which is engaged in manufacturing automobile trailers. They
met here with Mr. Ned Webb and Mr. Patrick Kennard, both
officials of the company. Also present at this latter occasion
was Mr. Eugene Sallinger, a high official in the Bay Shore
Industries at Elkton, which is engaged in the manufacture of
miscellaneous novelty rubber materials.
Following these inspection trips the members of the Council were the dinner guests of Senator and Mrs. Omar D. Crothers, Jr., at their home in Elkton.

On the morning of Friday, September 26th, the members of the Legislative Council journeyed to Chestertown where they were met by Senator John Jewell of Kent County and Messrs. Roger Harris and Paul Joiner, Delegates from Kent County.

The Council visited two important local industries in Chestertown. First was the Kent Manufacturing Company, a large manufacturer of commercial fireworks and also a manufacturer of pyrotechnic devices for the Federal government. At this plant the Council was greeted by Mr. Phillip G. Wilmer, President, who also is Mayor of the town of Chestertown.

Next in Chestertown, the Council visited the Vita Foods Plant, where they were greeted by Mr. Henry Demain, Manager. The members of the Council toured this plant and were much interested in the great variety of foods which are processed there.

The Council then proceeded to the Washington College buildings, where they were greeted by Dr. Daniel Z. Gibson, President. After a tour of the college grounds and buildings, the Council members were the guests of Washington College for luncheon in the College dining hall.

In a short statement to the Council following luncheon, Dr. Gibson mentioned the strategic location of Washington College among centers of population in the Middle Atlantic States. Their long-range plans, he said, are for a maximum of 500 students. Their immediate needs are for dormitories, the first need being for a women’s dormitory. The academic facilities are good, he said, and capable of expansion. For the dormitories, Dr. Gibson cited that some $400,000 are needed and an additional sum of $110,000 is needed to build an addition to the dining hall. Their overall and long-range plans call for dormitory facilities for 170 women and 280 men.

The Council next traveled to Centreville, proceeding to the Court House for a meeting with Mr. Casper T. Seney, President, and Messrs. H. F. Callahan and T. Oliver Legg, members of the Board of County Commissioners of Queen Anne’s County. Delegate Joseph C. Bishop of Queen Anne’s County was present for this session.

The President of the Board of County Commissioners made a short statement to the Council about local problems.

He mentioned that the school problem and zoning problems are high on the county list. As for zoning, he recommended that Queen Anne’s County continue to be exempt from the State law and have its own local law. During the ensuing discussion, it was pointed out that there would be advantages for the county in coming into the State-wide enabling act.

On the subject of schools, Mr. Seney said that the county had raised teachers’ salaries from county funds. He cited that Queen Anne’s County has no industry to tax and that in order to provide the teachers’ salary increases, it was necessary to raise the county tax rate by 26 cents during the past year, bringing it to its current figure of $1.66. Teachers in Queen Anne’s County, he said, receive salaries which are $300 annually in excess of the State minimum. He said there were no vacancies among the teaching staff at present.
There was discussion also as to the issue of county bonds for schools.

Senator Turner pointed out to the Council the result of an intensive survey of schools in Queen Anne's County made by a citizens' committee during the past few months. This committee found that in general the high schools in the county are in good condition. However, it found also that the elementary schools need improvements at an estimated cost of $1,000,000. It was the judgment of local officials that there should be an increase in the school building incentive fund. It was pointed out that sixty-three percent of the tax collected in this county is for school purposes.

Another problem which received considerable discussion was that of erosion along the water front. County officials cited that it was a large problem but that there were no funds with which to attack it.

During discussion of the possibility of improvement in roads it was pointed out that a toll road has been recommended to extend across Queen Anne's County between Delaware and the new Bay Bridge.

The members of the Council then proceeded to Pioneer Point Farms in Queen Anne's County, where they were the dinner guests of Mr. Raymond J. Funkhauser, Mr. David M. Nichols, a member of the State Roads Commission, and Senator Mason Sheehan of Talbot County joined the Council for this occasion.

When the Legislative Council reached Talbot County, they were greeted by Mr. John Clarence North and Mr. Carroll Lowe, both members of the House of Delegates from Talbot County. On Saturday, September 27th, the members of the Council proceeded to Tilghman's Island, where, through the courtesy of Mr. George Harrison and his son, Mr. Jack Harrison, they were conducted through the Harrison Packing Company properties.

As a last feature of the Eastern Shore trip, the members of the Council crossed Eastern Bay from Claiborne to Romancoke, in order to inspect the facilities of this ferry system. Thereafter, the members of the Council disbanded to meet again in Baltimore on Wednesday, October 8th, 1952.

MINUTES
FIFTEENTH MEETING
Baltimore, Md., October 8, 1952.

The Legislative Council of Maryland met for its fifteenth meeting at 10:30 A.M. on October 8, 1952, in the City Council Chamber, City Hall, Baltimore. Those present were Mr. Della, Chairman, presiding, and Messrs. Luber, Goldstein, Crothers, Turner, Hoff, Melnicove, Redden, McLaughlin, Turnbull, Boone, Dempsey, Lofstrand, White, McNulty, Green, Derr, and Robinson.

Mr. W. Dana Rudy, Deputy Commissioner of Motor Vehicles, Mr. Earl C. Rexroth, Head of the Division of Financial Responsibility and Mr. Owen McGeeeney, Auditor, all of the Department of Motor Vehicles, were present to submit a set of proposed bills on behalf of the Department of Motor Vehicles. The Commissioner of Motor Vehicles was absent by reason of illness.
Mr. Rudy explained a series of recommendations for the repeal or modification of duplicating and existing laws in the motor vehicle code. Mr. Rexroth presented recommendations for amending the laws as to financial responsibility. Mr. Rudy also recommended the licensing of drivers schools and presented a statement to the Legislative Council. The proposals of the Department of Motor Vehicles were referred to the Judiciary Committee. (Motor Vehicle Legislation Item 140; Financial Responsibility, Item 32)

Mr. Julius T. Maurer, Counsel for the Maryland Police Association, spoke to the Council concerning new methods for the scientific determination of being under the influence of liquor. He recommended that legislation be enacted to cover the scientific ascertaining of whether a person is under the influence of liquor. Mr. Maurer stated that he would submit copies of the laws of other states on this subject and also thirty copies of his own recommendations. (Item No. 138)

Dr. Russell Fisher, Chief Medical Examiner of Maryland, was present with Mr. Maurer to support the request for legislation concerning scientific tests to determine the presence of alcohol in the system. Dr. Fisher stated that at least one-third of those who had suffered violent deaths in motor vehicle accidents (among the pedestrians and drivers of vehicles) had been under the influence of alcohol to a sufficient degree that this may have been a determining factor in the accident.

Letters were read by the Chairman and given committee references as follows:

The Maryland Industrial Union Council CIO proposed changes in the Workmen's Compensation Law (Item No. 135, referred to Finance Committee.)

Game and Inland Fish Commission proposals concerning hunting licenses and illegal hunting. (Item No. 126, referred to Budget & Finance Committee.)

Letter concerning the Executive Officer of the Maryland Veterans Commission (Item No. 128, referred to Judiciary Committee.)

Letter from Dr. William H. Trippllet, Chairman of the Legislative Committee of the Grand Jurors Association of Baltimore City, with proposals for legislation. (Item No. 134, referred to Judiciary Committee.)

Letter from Nightmaster, Inc., containing recommendations for highway safety. (Item No. 127, referred to Judiciary Committee.)

Letter from the Metropolitan-Baltimore City Licensed Beverage Association, Inc., containing recommendations for the amendment of the alcoholic beverage laws. (Item No. 130, referred to Budget & Finance.)

Letter from Dr. F. F. Greenwell, submitted by Senator Goldstein, concerning amendments to the State laws on tobacco. (Item No. 139, referred to Budget & Finance Committee.)

Memorandum submitted by Senator Turner, concerning the final payments to contractors on the State roads. (Item No. 131, referred to Budget & Finance Committee.)

Letter from Delegate William S. James, of Harford County, concerning long-range planning for the building of roads. (Item No. 124, referred to Judiciary Committee.)
Letter from the Independent Association of Race Track Employees, Inc., concerning the collection of sales tax on living accommodations at resort areas. (Item No. 125, referred to Budget & Finance Committee.)

Letter from the Prisoners Aid Association of Maryland, proposing that lashing no longer be used as a form of punishment in Maryland. (Item No. 136, referred to Judiciary Committee.)

Letter from Mr. Hyman A. Pressman, concerning the payment of gratuities to any public official. (Item No. 132, referred to Judiciary Committee.)

Letter from Senator John Grason Turnbull, concerning the practice of magistrates trying cases before other magistrates. A letter on this and other related subjects from Governor Theodore R. McKeldin also was presented to the Council. (Item No. 129, referred to Judiciary Committee.)

Letter from Hon. A. Earl Shipley, Director of Division of Parole and Probation, requesting that members of the Council arrange to sit in on parole hearings. (Item No. 133, referred to Judiciary Committee.)

The Chairman also presented a letter from Mr. Russell A. McCain, Chairman of the State Roads Commission, suggesting that the members of the Commission and also the members of the Governor's Highway Advisory Council might appear before the Legislative Council on Wednesday, November 5, beginning at 10.00 A.M. Following discussion, the members of the Legislative Council recommended that the hearing be set for 1 P.M. on Thursday, November 6th, 1952, if this date and time were agreeable to the State Roads Commission and the Governor's Highway Advisory Council.

The Chairman submitted a letter from Governor Theodore R. McKeldin, enclosing General Emergency Fund Budget Amendment No. 19, transferring the sum of $995.40 from the General Emergency Fund into the budget of the Legislature.

Senator Crothers raised the question of the Council's crowded agenda and suggested that the Council set a date after which no new proposals would be accepted. Following his suggestion and on motion of Mr. Crothers, it was decided that no new recommendations be accepted after November 1.

Senator Turnbull submitted a proposal for the separation of the Fiscal Research Bureau from the Department of Legislative Reference, and also submitted a bill to accomplish this result (Item No. 137, referred to Budget and Finance Committee.)

At 1 P.M. the Council recessed for lunch.

2 P.M.

The members of the Special Committee on Racing appeared before the Council to make their report of their investigation of racing and racing laws in Maryland. Senator C. Ferdinand Sybert, Chairman of the Special Committee on Racing, presented the report.

Before beginning his main presentation, Senator Sybert, speaking personally, referred to recent accounts in the public press about a punch bowl which had been purchased for the Executive Mansion by the several race tracks in Maryland. He recommended that the Legislative Council should probe into the matter to see if there had been any compulsion used by the Chairman of the Racing Commission and whether the gifts from the race tracks were voluntary.
Senator Sybert then discussed generally the work of the Special Committee on Racing and reviewed its recommendations in some detail. (Item No. 75, referred to Budget & Finance Committee.)

Upon the motion of Senator Crothers, the members of the Legislative Council decided unanimously to commend the committee on racing for its intensive work.

Mr. Boone, Chairman of the Budget and Finance Committee, submitted the following report to the Council:

REPORT OF THE BUDGET & FINANCE COMMITTEE

OCTOBER 7, 1952.

To the Members of the Legislative Council:

The Budget and Finance Committee met on October 7, 1952, in Baltimore, with the following members present: Mr. Boone, Chairman, presiding, and Messrs. Goldstein, Green, Luber, McLaughlin, Redden, Robinson and Turner.

The committee considered several items on its agenda and makes the following report to the Legislative Council:

Item No. 111—Improving collections of inheritance taxes on joint bank accounts.

Favorable Report

Item No. 94—Carry-over on State income tax.

Unfavorable Report

Item No. 110(1)—Correction of error as to tax exemption for veterans.

Favorable Report

Item No. 77—Membership in Retirement System for elected officials.

Favorable Report

Bills are submitted herewith on Items 110(1) and 77.

Respectfully submitted,

A. GORDON BOONE, Chairman.

Upon motion in each instance, the Legislative Council adopted all four recommendations of the Budget and Finance Committee.

Mr. Crothers, Chairman of the Judiciary Committee, submitted the following report:

REPORT OF THE JUDICIARY COMMITTEE

SEPTEMBER 10, 1952.

To the Members of the Legislative Council:

The Judiciary Committee of the Legislative Council met on September 10th, 1952, with the following members present: Mr. Crothers, Chairman, presiding, and Messrs. Turnbull, Dempsey, Derr, Hoff, Melnicove, White and McNulty.

After considering several items on its agenda, the committee makes the following recommendations:

Item No. 40—Proposed legislation relating to legislation to be considered at budget sessions of the legislature.

Favorable Report, with amendments
H. B. 73 of 1952 is herewith submitted, with amendments to provide that only budget matters be taken up at the thirty-day sessions. Matters of General Public Welfare would be eliminated completely. Should an emergency arise during the session, it would be necessary for the Governor to issue a proclamation to that effect. In addition, a three-fourths vote in each house would be necessary before the subject could be considered. An amended version of H. B. 73 is submitted herewith.

Item No. 56—Veto procedure.

Favorable Report

H. B. 22 of the 1952 session, which the Legislative Council prepared and recommended, is herewith submitted. This bill provides that on the third Wednesday in May, after a 90-day session, and on the third Wednesday in April, after a 30-day session, the Legislature should convene again for the sole purpose of acting on vetoes.

Item No. 88—Senate Bill 66 of 1952, relating to granting powers to incorporated municipalities to issue bonds for industrial buildings.

Unfavorable Report

Respectfully submitted,

OMAR D. CROTHERS, JR., Chairman.

Upon motion, duly passed in each instance, the three recommendations of the Judiciary Committee were adopted by the Legislative Council.

Bills which previously had been approved by the Council in principle were accepted and approved as follows:

Item No. 11—Uniform Acknowledgments Act.

Item No. 20(5)—Bureau of Criminal Records.

Item No. 91—Use of radio-micro waves to establish speed of motor vehicles.

Item No. 97—Power of Police Magistrates of Baltimore City to accept bail.

Item No. 101—Concerning the charge of the jury in certain cases.

In the vote on Item No. 91, Messrs. Goldstein and Green requested to be recorded in the negative.

Senator Goldstein, Chairman of the Special Committee on Item No. 112—concerning weighing crews of the State Roads Commission presented the following report:

REPORT OF THE SPECIAL COMMITTEE ON ITEM NO. 112—WEIGHING CREWS OF THE STATE ROADS COMMISSION

OCTOBER 7, 1952.

To the Members of the Legislative Council:

Your sub-committee on Item No. 112—Weighing Crews of the State Roads Commission herewith submits its report:

The sub-committee found that some question has arisen because there are both classified and unclassified employees on the weighing crews under the State Roads Commission. This led to some
dissatisfaction because the unclassified employees do not have the same vacation and sick leave privileges as do the classified employees.

The committee also found that in addition to the unclassified employees on the weighing crews, there are some 800 or more employees of the State Roads Commission whose status also is that of unclassified employees and who do not get either sick or vacation leave privileges.

The committee recommends that the laws be amended to provide that after a one-year period all unclassified employees under the State Roads Commission can be reclassified so as to get sick and vacation leave privileges. This one-year period would include the regular probationary period of 6 months.

A bill for this purpose is to be drafted with the assistance of the Employment Commissioner and the State Roads Commission.

Respectfully submitted,

LOUIS L. GOLDSTEIN, Chairman.

On motion, duly seconded and passed, the report of the Special Committee on Item No. 112 was accepted and approved.

Mr. McLaughlin asked the members of the Legislative Council to take a one-day trip to Washington County within the following few weeks for the purpose of visiting the Fairchild Aircraft Corporation. This plant, he stated, was being much enlarged and he wished the members of the Legislative Council to investigate the new and hazardous conditions caused near the plant on U. S. Route No. 11. Mr. McLaughlin also mentioned that the Council might consider the question of a site for the new chronic disease hospital to be erected in Western Maryland. The trip was tentatively set for November 11, if the plant of the Fairchild Aircraft Corporation would be open on that day. Otherwise, Mr. McLaughlin was to suggest another day.

At 5 P. M., the Council adjourned to Thursday, October 9, 1952.
Mr. Enos S. Stockbridge, Chairman of the Committee on Highways for the Commission on Administrative Organization of the State, was present and spoke generally. He introduced Mr. Norman Hebdon, a staff man who had done much of the work in preparing the highway report.

Mr. Hebdon spoke generally to the members of the Council about the building of roads in this State and the need for co-operative efforts for highway control and authority. He recommended that roads should be classified and that the classification scheme should be followed in determining which level of government should be responsible for building and maintaining the roads. Mr. Hebdon commented briefly upon the recommendations of the Commission on Administrative Organization. (Item No. 55C, referred to Budget and Finance Committee.)

The chairman of the Council named a committee to visit the penal institutions of the State, following the invitation extended by the Hon. A. Earl Shipley, Director of Parole and Probation. Those comprising the special committee were Mr. Della, Chairman, and Messrs. Dempsey, Derr, Hoff and Turnbull. A date was to be set for the visit of the members of the committee to the several penal institutions.

Dr. Robert H. Riley, Director of the State Department of Health, was present to bring to the Council a proposal that if possible the $50,000 cut from the Budget in 1952 for use in the Medical Care Program. Also, Dr. Riley recommended that no such further cuts be made in the future. He was accompanied by Dr. Page Jett, Chairman of the Council of Medical Care in Maryland and also by Dr. Alan Chesney, President of the State Medical Society. Dr. Jett spoke generally about the Medical Care program and stated that it encourages young practitioners to locate in rural areas. He requested that the Legislative Council recommend to the Governor the restoration of this fund in the new budget. (Item No. 141, referred to Budget and Finance Committee.)

At 1 P. M. the Council adjourned to meet in Baltimore at 1 P. M. on November 6, 1952.

MINUTES

SEVENTEENTH MEETING

Baltimore, Md., November 6, 1952.

The Legislative Council of Maryland held its seventeenth meeting on Thursday, November 6th, 1952, in the City Council Chamber, Baltimore, at 1 P. M. Those present were Senator Della, Chairman, presiding, and Messrs. Luber, Goldstein, Derr, McNulty, Green, Redden, Boone, Hoff, Turner, Lofstrand, Crothers, Dempsey, Kimble, Melnicove, Robinson and McLaughlin.

The Maryland Commissioners on Uniform State Laws were present to recommend several bills to the Council. Mr. C. Walter Cole explained briefly the manner in which the Commissioners formulate their legislation. He stated that Maryland has thirty-nine uniform laws in addition to five others which substantially comply with the uniform laws.
Mr. Eugene Feinblatt presented the uniform reciprocal enforcement of support act which more than thirty states now have adopted.

Dean Roger Howell presented amendments to the uniform narcotics act and also the uniform single publication act and the uniform divorce recognition act.

The several proposals of the Maryland Commissioners on Uniform Laws were referred to the Judiciary Committee.

Letters were read from the following persons and organizations and referred to committee as indicated:

From George Washington Williams—clarification of the marriage laws.

Senator Leroy W. Preston—consolidation of the courts of Baltimore City (Item No. 151) (Judiciary Committee).

Hon. Anselm Sodaro, State's Attorney of Baltimore City,—amendment of the laws for the crime of rape. (Item No. 149) (Judiciary). A letter also was received from Judge E. Paul Mason of the Supreme Bench of Baltimore City, making the same recommendation.

Hon. David MacDonald, County Attorney of Montgomery County,—amendments in the State-wide assessment law. (Item 82A) (Budget and Finance).

Mr. James Pincus—growing ragweed on property (Item No. 142) (Judiciary).

Senator John Grason Turnbull, penalty for violation of the school bus law (Item 143) (Judiciary).

Delegate S. Fenton Harris—Discarding bottles and cans. (Item No. 144) (Judiciary).

Hon. Wm. C. Walsh, Chairman of the former commission to revise the corporation laws—suggested amendments to the revision of the corporation laws (Item No. 148) (Judiciary).

The Chairman also read a letter from the State Comptroller concerning a transfer of funds from the contingent funds of the Board of Public Works to the Legislative Council for the expenses of the delegates to the recent Southern Regional Education Conference at Nashville, Tennessee.

Mr. Simon Sobeloff, Chairman of the Commissioner on Administrative Organization, was present to present additional material to the Council. He first reviewed the past work of the Commission and recommended that the Federal funds bill, which had been proposed by the Commission at the last session of the General Assembly, be revived and passed. Mr. Sobeloff presented a number of draft copies of bills to the Council to carry out proposals already made during the current year. He also presented proposals on Personnel Administration, Correction, Parole and Juvenile Institutions.

Mr. Ernest Vaughn, Director of the Game and Inland Fish Commission, was present to make a number of recommendations to the Council. He proposed first that a hunting license be required for hunting all species of wildlife. Secondly, that 50 cents be added to the resident hunting license fees. Finally, he recommended that penalties be provided for falsification of an application for a hunting license.
The several proposals, together with draft copies of bills, were referred to the Budget and Finance Committee (Item No. 126).

By unanimous action of the Council, the Secretary was directed to send a letter of sympathy to Mrs. Paul G. Stromberg, upon the occasion of the death of former Senator Stromberg.

The Council then recessed until 7 P. M.

7 P. M.

The Council reconvened at 7 P. M. in Room 1635 Mathieson Bldg., Baltimore, this being the office of Mr. Harry Green, Chairman of the Commission on Education. The following members of the Council were present: Senator Della, Chairman, presiding, and Messrs. Luber, Goldstein, Kimble, Hoff, Redden, McNulty, Boone, Dempsey, Lofstrand, White, McNulty, Derr and Robinson.

Also present for this session were Hon. Perry Wilkinson, Chairman of the House Committee on Education, Hon. Layman J. Redden, Chairman of the Senate Committee on Education (and also a member of the Legislative Council) and Hon. Roy Tasco Davis of Montgomery County.

Mr. Green spent several hours reviewing the tentative proposals of the Commission on Education, followed by an intensive discussion by all members present. At the conclusion and on the motion of Senator Redden, the Council gave its endorsement to the program for teachers' salaries by a unanimous voice vote.

The meeting adjourned at 9:45 P. M. with the Council to meet again in Baltimore on November 12th.

MINUTES
EIGHTEENTH MEETING


The Legislative Council met for its eighteenth meeting at 10:30 A. M. on November 12, 1952, in the City Council Chamber, City Hall, Baltimore. Those present were Mr. Della, Chairman, presiding, and Messrs. Luber, Goldstein, Crothers, Turner, Redden, Boone, White, McNulty, Green, Derr, Melnicove, Robinson, Lofstrand and Hoff.

The Council first conducted a hearing on Item No. 124, concerning the roads program. The first speaker was the Hon. William S. James, member of the House of Delegates from Harford County, who submitted data on the highway needs. Mr. James proposed that in order to provide funds for additional highway construction, there be a reduction in the amount of State highway funds paid over to the local sub-divisions. Also he suggested an increase in the gasoline tax by one cent per gallon and a ten percent increase in license fees. Finally, he suggested that at least $10,000,000 annually should be taken from general funds of the State for highway purposes.

The members of the State Roads Commission, together with the members of the Advisory Council and a number of key employees and officers of the State Roads Commission were present to present the Twelve-year Road Program which had been form-
ulated over a period of the preceding eighteen months. The report was a joint report of the Roads Commission and of the Advisory Council and was designed to meet present and future needs and to put Maryland in the forefront of the States as to road facilities.

Dr. Abel Wolman, Chairman of the Advisory Council, spoke as to the great increase in road use. He stated that the roads in 1952 in Maryland already are being used in excess of the amount which some years ago had been forecast for 1960.

Dr. Wolman stated that the twelve-year program comprises total expenditures of about $566,000,000 for primary and secondary programs. The plan for road building, he stated further, is divided into three four-year blocks, the plan being to spend more during the first years than during the latter years. He said that from $50,000,000 to $60,000,000 would be spent during the first four-year term, while lesser amounts would be spent during the second block of years and still lesser during the third block.

Dr. Wolman explained that the program anticipated that the users of roads should bear a major share in the cost. The money, he said, would come from three sources. First, a one percent per gallon in the gasoline tax. Second, an across-the-board increase in registration fees. And finally, an issue of bonds totaling some $300,000,000 to be serviced from the funds derived from the gasoline tax and the registration fees.

The road program also included provisions for a series of farm-to-market roads. Dr. Wolman pointed out that the increase in gasoline tax and also the increase in registration fees would mean extra income to the political sub-divisions as part of their normal shares of these state revenues. The proposal was that these extra funds be matched locally with the hope that there would be spent on the farm-to-market roads during the 12-year period a sum ranging between $100,000,000 and $160,000,000.

It was further stated that the Commission and its Advisory Council had given thought to the possibility of having toll roads. Dr. Wolman said that probably no road in Maryland could be entirely financed by tolls but that there were several major highways which perhaps could be financed to the extent of 40% or 50% of their cost by way of tolls. More data is to be presented, perhaps by January of 1953, he said. Dr. Wolman added also that any plans for toll roads would always provide that alternate free roads would be established.

In answer to a question, it was said that the shifting of the payment of State Police salaries in the budget had not been considered by the Roads Commission and by the Advisory Council. Also, in reply to another question, it was said that the issue of the bonds would not adversely affect the State credit.

The Hon. Russell McCain, Chairman of the State Roads Commission, participated in the discussion and answered a number of questions propounded by the members of the Council.

The roads program was referred to the Budget and Finance Committee.

Mr. Boone, Chairman of the Budget and Finance Committee presented the following report:
REPORT OF THE BUDGET AND FINANCE COMMITTEE

Baltimore, Md., November 12, 1952.

To the Members of the Legislative Council:

The Budget and Finance Committee of the Legislative Council met at 2:30 P. M. and again at 7:30 P. M. on November 11, 1952. The following members were present: Mr. Boone, Chairman, presiding, and Messrs. Lofstran, Turner, Luber, Robinson, Goldstein, Green, Kimble and Redden.

The committee considered the several items on its agenda and makes the following report:

Item No. 75—Report of the Special Committee on Racing.

The Budget and Finance Committee held a full hearing on this subject, with members of the Special Committee on Racing and also many representatives of various race tracks in Maryland. The members of the State Racing Commission had been invited to attend the meeting but did not appear. It is the recommendation of the Budget and Finance Committee that the subpoena powers of the Legislative Council be used to require the appearance of the members of the State Racing Commission before the committee at its meeting at 7:30 P. M. on Tuesday, November 18th.

Item No. 125—Sales Tax Exemption on Rentals while traveling on business.

Unfavorable Report

Item No. 123—Sales Tax Exemption on sale of Household Fuel and Electricity.

Unfavorable Report

Item No. 55(3)—Budgetary Reporting of Federal Funds.

Unfavorable Report

Item No. 55(7)—Regulatory Power of Board of Public Works.

Unfavorable Report

Item No. 82—Modification of assessment laws.

Unfavorable Report

Item No. 85—Exemption from amusement tax of motion picture theatres.

Unfavorable Report

Respectfully submitted,

A. GORDON BOONE, Chairman.

The unfavorable reports were adopted by the Council on Items No. 125, 123, 55(3), 55(7), 82 and 85, with Mr. Robinson voting "no" on Item No. 55(3).

Following the report by Mr. Boone, in which it was recommended that a subpoena be issued to require the appearance of the State Racing Commission before the Budget and Finance Committee, the chairman of the Council stated that he had been assured that the chairman and at least one other member of the State Racing Commission would be present at the committee meeting. Mr. Boone, therefore, withdrew the Committee's recommendation for a subpoena.

The Council then recessed until 2:30 P. M.
Mr. Boone moved for a reconsideration of the vote by which the unfavorable report on Item No. 82 had been adopted. This motion was carried, after which Item No. 82 was recommitted to the Budget and Finance Committee in order to permit further hearings thereon.

The Chairman submitted resolutions from the Veterans of Foreign Wars, one of which proposed the addition of a reference to the Deity in the pledge of allegiance to the flag of the United States and the other of which proposed naming the Chesapeake Bay Bridge the "Memorial Bridge". Both resolutions were referred to the Budget and Finance Committee.

Mr. Crothers, Chairman of the Judiciary Committee, submitted the following reports:

REPORT OF THE JUDICIARY COMMITTEE

Baltimore, Md., November 12, 1952.

To the Members of the Legislative Council:

The Judiciary Committee has held several meetings since the Legislative Council meeting in October, at which hearings and discussions were held, and makes the following recommendations:


Favorable Report.

This bill embodies the recommendations of the Department of Motor Vehicles. Two hearings were held and a round-table discussion with representatives of insurance companies was held.

It is the further recommendation of this committee that the question of creating an Unsatisfied Judgment Fund, similar to that created recently in New Jersey, be held on the Council agenda, in order that the Council may take it up for further study following the 1953 session of the General Assembly.

Item No. 20B—Wire Tapping.

Favorable Report.

This bill would make evidence obtained by wire-tapping admissible if it was obtained after the issuance of a special warrant issued by a judge of a court of competent jurisdiction. Evidence obtained by wire-tapping which was not so authorized would not be admissible.

Item No. 140 (1)—Definition of Commercial Motor Vehicles.

Favorable Report.

This bill would broaden the definition of commercial motor vehicles for hire to include tow-trucks and would repeal special registration laws for repairers of vehicles and wreckers of vehicles, and would permit vehicles to be towed on highways if either the front or rear wheels are lifted from the road or a tow-bar is attached.

Item No. 140 (2)—Repealing the exemption from registration of special mobile equipment.

Favorable Report.

At the present time, such vehicles as road construction or maintenance machinery, ditch-digging apparatus, well-boring
apparatus and concrete-mixers are exempt from registration. It is felt that this exemption is too liberal and difficult to administer, and that the State should be able to collect registration fees on this equipment some of which weighs as much as five tons and should normally carry a registration fee of $250 each. (This proposal was subsequently withdrawn by the Department of Motor Vehicles).

Item No. 140(3)—Repealing duplicating provisions relating to certified copies of records.
Favorable Report.

Item No. 140(4)—Exemption from Maryland registration for non-resident students.
Favorable Report.

This bill would provide that non-resident students enrolled in Maryland colleges or universities shall not be required to register their motor vehicles in Maryland, so long as they are not engaged in any trade or profession in this State and so long as the State of which the student is a resident grants the same privileges to Maryland students attending schools in that State.

Item No. 140(5)—Repealing registration for certain farm equipment.
Favorable Report.

This bill repeals the provisions for registration of motor vehicles owned by farmers which are used only on that part of the State's highways adjacent to their farms. Very few plates are issued under this provision and the Department feels that farm truck tags adequately cover such use.

Item No. 140(7)—Repealing obsolete provisions relating to stock in trade of motor vehicles.
Favorable Report.

This provision was passed some years ago to enable the Baltimore City Tax Collector to appraise stock in trade of new and used-car dealers. Under the present provisions for collecting a flat excise fee on motor vehicles, this section no longer serves any useful purpose.

Item No. 140(8)—Dismantling or wrecking of vehicles.
Favorable Report.

This bill would amend the section which now permits the owner of a dismantled or a wrecked vehicle to return evidence of registration and secure a permit for dismantling by including the additional provision that the person who sells the motor vehicle could secure such a permit. Dealers as well as owners would then be covered. In addition provision is made for recording such vehicles under engine number instead of serial number.

Item No. 140(9)—Temporary Registration Plates.
Favorable Report.

This bill would provide that temporary plates may be issued to purchasers as well as owners of vehicles. It would further provide that the expiration date should be stamped thereon in figures not less than three-quarters of an inch in height.
Item No. 140(10)—Shuttle-Relay System.  
Favorable Report.

The Department of Motor Vehicles feels that Shuttle-Relay Class of Registration should be abolished in Maryland. Maryland is the only State which has such a registration class. The bill, therefore, abolishes this type of registration.

Item No. 140(11)—Repealing the fee for registration of farm tractors.  
Favorable Report.

There are now two provisions relating to farm tractors, one imposing a flat fee of $4.00 and the other providing that there shall be no fee where such tractors are used within a distance of not more than five miles from the farm. This bill would abolish the $4.00 fee.

Item No. 140(12)—Transporters of Vehicles.  
Favorable Report.

This bill would abolish the three classes now set up for registration of the various types of transporters of vehicles and set up a single registration class and fee for all transporters of vehicles.

Item No. 140(13)—Registration of School Buses.  
Favorable Report.

This bill merely clarifies a conflict in the law as to the registration fee for school buses and further provides that part of such fee shall revert to the county or municipality in which the owner lives.

Item No. 140(14)—Refunds on Pledges.  
Favorable Report.

This bill would provide that there could be no refund on plates for less than an entire year.

Item No. 140(15)—Instruction Permits.  
Favorable Report.

This bill would provide that instructions should be valid for sixty days, instead of thirty days, with no renewal privileges. It would further permit members of the Armed Forces with military driving licenses to take an immediate examination.

Item No. 140(17)—Driving Licenses for those who do not understand English.  
Favorable Report.

This bill would require that in order to qualify for a driving license, an operator of a motor vehicle must be able to read directional and other highway signs printed in the English language. The law now has two provisions on this subject which conflict.

Item No. 140(22)—Repeal of duplicating provision relating to the reporting of accidents.

Section 113 of the Motor Vehicle Laws cover this subject adequately and therefore Section 168, requiring reporting of accidents, can be repealed.

Copies of the above-mentioned bills are submitted herewith.

Respectfully submitted,

Omar D. Crothers, Jr., Chairman.
REPORT OF THE JUDICIARY COMMITTEE

Wednesday, November 12, 1952.

The Judiciary Committee met immediately after the Legislative Council recessed at 12:15 P. M., with the following members present: Mr. Crothers, Chairman, presiding, and Messrs. Della, Derr, Hoff, Melnicove, White and McNulty.

The committee agenda was reviewed and the following recommendations are made:

Item No. 118—Making it unlawful for pedestrians to walk on the right side of the highway.

Unfavorable Report.

Item No. 114—Index of Land and Chattel Records.

Favorable Report.

The former Attorney General, Mr. Hall Hammond, recommended that the provisions of Article 17, Sec. 63 relating to the individual indexing of each record book, both as to grantors and grantees, be amended to provide that only a general index of grantors and grantees, cross-indexed, be kept. Mr. Luther Pittman, Clerk of the Superior Court of Baltimore City, has approved a draft bill on this subject and it is herewith submitted for approval by the Council.

Item No. 23—Aviation Law amendments.

Unfavorable Report.

Item No. 4A—Periodic Renewal of Driver’s License.

Unfavorable Report.

Item No. 129—Trial Magistrates trying cases before other trial magistrates.

Favorable Report.

The original recommendation was to prohibit trial magistrates from trying cases before other trial magistrates. The committee feels that there should be a restriction on trial magistrates trying cases before other trial magistrates in their home jurisdiction, but that they should not be restricted from trying cases before magistrates in other jurisdictions in this State. A bill is to be drafted to carry out this recommendation.

Item No. 136—Penalty of Lashing Abolished.

Favorable Report.

There is only one crime in Maryland, that of wife-beating, for which lashing is a penalty. It is the recommendation that the law be amended to delete this provision in the penalty for this crime. A bill is to be drafted on this subject.

Item No. 113—Providing that when a liquor license holder has been adjudged not guilty, the License Commissioners can take no further action.

Unfavorable Report.

Item No. 106(1)—Making the automobile owner the presumptive driver in any accident involving automobile.

Favorable Report.
Item No. 106(2)—Making the owner of an automobile punishable for concealing the driver's identity.

Favorable Report.

The two recommendations above are recommended in principle, and bills will be submitted later to carry out these recommendations.

Item No. 6A—Supervision of all released prisoners.

Unfavorable Report.

Respectfully submitted,

OMAR D. CROTHERS, JR., Chairman.

The Legislative Council adopted all the recommendations of the Judiciary Committee in these two reports, with the following members asking to record "nay" votes on particular items:

Item No. 20B—Messrs. Crothers, Goldstein and Hoff voting "no."

Item No. 140(2)—Mr. Green voting "no."

Item No. 140(5)—Mr. Goldstein voting "no."

Item No. 129—Mr. Dempsey voting "no."

Item No. 106(1)—Messrs. Robinson and Boone voting "no."

The Chairman submitted a letter from the Hon. Avrum K. Rifman, Magistrate in the Southern District of the Baltimore City Police Department, concerning the offense of "hot-wiring" a motor vehicle. The Secretary was instructed to inform Magistrate Rifman that his proposal had been received after the deadline set by the Legislative Council for the receiving of new proposals.

Mr. Luber, Vice-Chairman of the Council, submitted the following statement concerning House Bill No. 402 of the 1951 session:

"Officials of various Anne Arundel County Chambers of Commerce and trade associations are needlessly alarmed over the passage at the recent election of the Constitutional Amendment relative to the development of the Port of Baltimore.

In requesting passage of the Amendment and of the enabling Act, the City officials simply were carrying out recommendations of the consulting engineers hired jointly by the State and city to survey the Port of Baltimore.

The City officials have informed me that they have no plans to condemn any land in Anne Arundel or Howard Counties, nor do they have any money to do this.

At any rate, even if, at some future time, there arose a question of acquiring county land for port development purposes, the City would have to obtain further authorization from the Legislature in order to sell such property, and would seek the cooperation of the counties because any such project would be for the benefit of the State, the counties and the City.

In an effort to clarify any misunderstanding concerning the Constitutional Amendment, I am going to arrange a meeting of the various official and civic groups interested."
Following discussion of this statement, in which Mr. McNulty participated, the Council determined to give a hearing to all interested persons from Baltimore City, Baltimore County, Anne Arundel County and Howard County at the next meeting of the Council, the hearing to be set for 3 P. M. on Wednesday, November 19th. In addition to local officials and the legislative delegations, the several chambers of commerce and also trade council groups were to be invited to the hearing.

Mr. Goldstein asked the Budget and Finance Committee to consider the proper means of financing the State Police in connection with its study of the roads program.

Mr. Hoff spoke briefly concerning the establishment of a site for the proposed chronic disease Hospital in Western Maryland. He stated that there had been considerable uncertainty as to the site to be used and apparently a recent change of decisions once arrived at. He requested that the Legislative Council ask the Board of Public Works to take no further action as to the selection of a site for this hospital until the Legislative Council should have had an opportunity to visit and inspect the proposed sites. Upon motion, this proposal was adopted.

At 4 P. M., the Council adjourned to meet again in Baltimore at 10 A. M. on November 19th.

MINUTES
NINETEENTH MEETING


The Nineteenth meeting of the Legislative Council was held in Room 302, City Hall, Baltimore, at 3:00 P. M. on November 19th, 1952. Those present were: Senator Della, Chairman, presiding, and Messrs. Luber, Goldstein, Crothers, Hoff, Melnicove, Boone, Dempsey, Lofstran, McNulty, Green, Derr and Robinson.

The Council conducted a hearing on House Bills 402, 403 and 404 of 1951, which had been passed to become Chapters 199, 200 and 201, respectively. The three bills in that order comprised a constitutional amendment to permit the City of Baltimore to engage in certain port development work, an amendment to the City Charter of Baltimore for the same purpose and an enabling act covering the borrowing of funds for the same purpose.

Present for the hearing were a number of local officials and also members of the Legislative delegations of Anne Arundel, Baltimore and Howard Counties, together with officials of Baltimore City who were familiar with the Port Development Program.

The question at issue was whether the three bills had properly been treated as local bills or whether they contained the basis for possible action which might affect counties surrounding Baltimore City.

The City Solicitor of Baltimore, the Hon. Thomas Biddison, stated that the three bills were based upon an extended study of possibilities for port improvement in Baltimore. He said that there was no intention upon the part of City officials to take any action at variance with the welfare of the surrounding counties and that there were no present plans for taking any lands within any county area.
Mr. Biddison stated his opinion that the bill passed as an amendment to the City Charter of Baltimore was effective for the power of condemnation but that, in his opinion, it was not effective as a basis for selling any property acquired. Mr. Biddison's proposal was that the City of Baltimore would be willing to write into the statutory law a provision that the City would not exercise the power of condemnation over any property contained within any surrounding county unless it had received in writing the prior approval of the County Commissioners. Mr. Biddison's proposal was contingent upon this policy being approved by bond counsel, because of the fact that a $9,000,000 bond issue already had been approved for port development purposes by the voters of Baltimore City.

In answer to a question as to whether property acquired for port development would be left on the tax rolls, Mr. Biddison stated that it might be or that, in the alternative, provision might be made by agreement for equivalent payments.

State Senator Phipps of Anne Arundel County spoke briefly on the subject of the meeting and asked the Legislative Council to prepare a bill as suggested by Mr. Biddison. The Chairman of the Council suggested in the alternative that the City Solicitor and the Counsel to the County Commissioners of Anne Arundel and the other interested counties should prepare a bill. This policy was approved by Mr. Ralph Lowman, representing the County Commissioners of Anne Arundel County, by Mr. Monaghan, representing Howard County, and by Delegate Boone, representing Baltimore County.

Mr. Marvin Anderson, Counsel to the Board of County Commissioners of Anne Arundel County, stated that his county was opposed to the Constitutional provision and thought that it should not be left in its present form.

Mr. Johns, Chairman of the Port Development Commission, stated that in his opinion, Anne Arundel County would not suffer from the effects of the Port Development Program.

The hearing adjourned upon the general understanding that the City Solicitor of Baltimore and the counsel to the several boards of county commissioners in Anne Arundel, Baltimore and Howard Counties would collaborate in the drafting of a bill as proposed by Mr. Biddison.

Mr. Crothers, Chairman of the Judiciary Committee, presented the following report:

REPORT OF THE JUDICIARY COMMITTEE


To the Members of the Legislative Council:

The Judiciary Committee met on Wednesday morning, November 19th, at 10:30 A.M. and again at 2:00 P.M. and makes the following report:

Item No. 55E—Health and Welfare.

Rec. 1—Resolution requesting Committee on Medical Care to make study.

Favorable Report.
Rec. 2—Removing Director of Department of Health from membership on the State Board of Health, to be effective after Dr. Riley, the present incumbent, retires.

Favorable Report.

Rec. 3—Abolition of Water Pollution Control Commission.

Unfavorable Report.

Rec. 4 to 9 are being held for further study.

Rec. 10—Abolition of the State Veterans Commission.

Unfavorable Report.

Item 6B—Removing from the State Department of Parole and Probation the responsibility for collecting installment fines for the City of Baltimore and placing this responsibility in the Probation Department of the Supreme Bench of Baltimore City.

Favorable Report.

Item No. 147—Uniform Narcotic Drug Act.

This item is being referred back to the Maryland Commissioners on Uniform Laws, so that they can present it directly to the Legislature later on. Hearings have been requested on this bill by the Department of Health and there is not sufficient time for intelligent discussion of this subject before the Legislative Session.

Item No. 145—Uniform Divorce Recognition Act.

Favorable Report.

Item No. 146—Uniform Single Publication Act.

Favorable Report.

Item No. 78—Retail Installment Sales Act.

Favorable Report.

This bill would be limited to installment sales contracts on automobiles. It would set a finance charge of 9% plus service charges on cars less than two years old and a finance charge of 11% on all other cars, plus service charge. It would provide penalty of forfeiture of remaining payments on car if an overcharge is made. It further provides that for an overcharge on insurance premium on such contracts, the penalty shall be ten times the amount of the overcharge. A bill is submitted herewith.

Favorable Report.

Respectfully submitted,

OMAR D. CROHERS, JR., Chairman

These recommendations of the Judiciary Committee were adopted with Mr. Robinson voting "no" on Recommendations 3 and 10 under Item No. 55E. The bill proposed on Item No. 78 was amended by the Council.

Mr. Crothers also presented another report from the Judiciary Committee:
REPORT OF THE JUDICIARY COMMITTEE


To the Members of the Legislative Council:

The Judiciary Committee met on Tuesday, November 18th, 1952, in Room 302, City Hall, Baltimore, with the following members present: Mr. Crothers, Chairman, presiding, and Messrs. Hoff, Della, Derr, McNulty, Melnicove, and White.

The Secretary presented drafts of bills on several of the items on which favorable reports had been submitted to the Council at its meeting on November 12th and in each case the draft bill was approved. Copies of these bills are herewith submitted for the Council's final approval:

Item No. 106—Providing that the owner of a motor vehicle shall be presumed to be the driver, unless otherwise proved, and that he must divulge the driver of his motor vehicle, if he was not the driver.

Bill Presented.

Item No. 129—Providing that magistrates shall not practice law before other magistrates in the same political sub-division.

Bill Presented.

Item No. 136—Lashing abolished as a penalty for wife-beating.

Bill Presented.

Item No. 100—Amendments to the bastardy laws.

Favorable Report.

This bill provides that the natural father shall provide for his illegitimate child until the age of eighteen, instead of sixteen, as the law now provides. It also provides that the Court may approve a modified or lesser schedule of payments, under certain conditions. It provides that the responsibility of the father shall be a continuing one, regardless of whether he has served a sentence for failure to support. It further provides that the offense of bastardy shall be an extraditable crime.

Item No. 142—Penalty for allowing ragweed to grow on property.

Unfavorable Report.

Item No. 55A—Sobeloff Report on Local Legislation. Recommendation No. 1, granting municipalities home rule powers, with the exception of powers to set local property tax and set debt limits.

Favorable Report.

Item No. 105—People's Court of Baltimore City.

This item is to be referred back to its original sponsor, with the suggestion that since it is local in nature, the City Delegation be asked to sponsor it in the General Assembly.

Respectfully submitted,

OMAR D. CROTHERS, JR., Chairman
The bill presented on Item No. 106 was amended by the Council and adopted as amended. The remainder of the report was approved.

Mr. Green, on behalf of Senator Kimble, moved that the vote by which Item No. 112 had been adopted by the Council be reconsidered. This item relating to the weighing crews of the State Roads Commission. The motion was rejected by a voice vote.

The Council adjourned at 4:45 P. M., to meet again in Baltimore on Tuesday, November 25.
REPORT

OF THE

SPECIAL COMMITTEE

TO

INVESTIGATE AND STUDY RACING

TO THE

LEGISLATIVE COUNCIL OF MARYLAND

OCTOBER 1, 1952
MEMBERS

of the

Special Committee to Investigate and Study Racing

LARKIN H. BIRMINGHAM
PRESLEY D. BOWEN
BRUCE S. CAMPBELL
E. TAYLOR CHEWNING
CARLE A. JACKSON
GUY JOHNSON
R. BRUCE LIVIE
A. HERMAN SISKIND
C. FERDINAND SYBERT,
Chairman

CARL N. EVERSTINE,
Secretary
317 City Hall
Baltimore 2, Maryland
REPORT OF THE COMMITTEE ON RACING

October 1, 1952

To the Legislative Council of Maryland:

The Special Committee to Investigate and Study Racing, appointed by the Legislative Council of Maryland, herewith submits its report.

This committee was appointed and has done its work pursuant to the provisions of Senate Resolution No. 1, which was introduced into the Senate of Maryland on February 12, 1952, and adopted by the Senate on February 15, 1952.

Senate Resolution No. 1 was sponsored by Senator George W. Della, President of the State Senate and Chairman of the Legislative Council. It cited that for many years there had been criticism of the administration of the racing laws of the State and that many efforts have been made from time to time to modify and amend these laws in some particular. The resolution went on to say that there seemed to be continuous uncertainty as to the assignment of dates for racing meetings, and that the importance of racing as a source of revenue for the State warrants a complete study of its future in Maryland. The Legislative Council was asked to appoint a committee to study and investigate every phase of racing in this State, including the racing laws and their administration, and to submit the results of this study and investigation to the Council, together with any recommendations relating thereto, on or before October 1, 1952. The Legislative Council in turn was requested to include at least a summary of the report of the committee in its own report to the General Assembly of 1953, together with the recommendations of the Council and any legislation which might be proposed.

After Senate Resolution No. 1 was referred to the Legislative Council, the Chairman of the Council appointed this committee of nine persons to investigate racing. Members of the committee have had long experience in following racing in Maryland. Some have taken part in the management of tracks, others have been interested as breeders and horsemen, and still others have followed intensely and for years the progress of racing at all Maryland tracks.

The committee held a series of meetings beginning in the late spring and extending throughout the summer of 1952. It met first with the members of the Maryland Racing Commission. Then, representatives of each mile track were asked to appear before the committee and to testify. Representatives of the harness tracks and of the half-mile tracks later appeared before the committee. One session of the committee's meetings was given over to representatives of the Horsemen's Benevolent and Protective Association. Another session was devoted to meeting with two groups representing pari-mutuel employees. Members of the committee, in addition to investigating conditions at Maryland tracks, traveled as a body to Monmouth Park race course in
New Jersey, to study operations and investigate the facilities there. In addition, the committee appointed an investigator, who made an intensive survey and submitted a report concerning the physical plants and facilities at all Maryland tracks. The report of the investigator is printed in full as an appendix to this main report.

There are three major divisions of racing in Maryland. First are the mile tracks, there being three in operation today. Secondly, there are the five half mile tracks, which traditionally have been operated in connection with county fairs. Finally, there are the four harness tracks, operating at night.

Among the tracks now operating in Maryland, the oldest is Pimlico in Baltimore City, operated by the Maryland Jockey Club. Its inaugural meeting was held on October 25, 1870. Three other mile tracks were opened in the years preceding the First World War. One was Laurel, operated by Maryland State Fair, Inc., which opened for racing in October, 1911. The next was Havre de Grace, operated by the Harford Agricultural and Breeders’ Association, which held its first race in August, 1912. Finally, the Bowie track, operated by the Southern Maryland Agricultural Association, opened for racing on October 1, 1914. All four tracks continued to operate until 1960, when the Havre de Grace property was sold, so that there are now only the three mile tracks, Pimlico, Laurel and Bowie.

Among the half-mile tracks, there has been racing at Timonium, Baltimore County, since September, 1887. This track is operated by the Maryland State Fair and Agricultural Society, Inc. Then, in 1914, racing was started at Marlboro in Prince George’s County, under the Southern Maryland Agricultural Fair Association. Cumberland’s racing was begun in October, 1921, under the Cumberland Fair Association. Hagerstown’s racing was begun in October, 1929, this track being operated by the Agricultural and Mechanical Association of Washington County. Finally, in 1937, the Bel Air Track was opened, being operated by the Harford County Fair Association, Inc.

The Racing Commission is authorized by the racing laws also to issue a license to the Pocomoke Agricultural Fair Association, Inc., but no organized racing has ever been conducted in Pocomoke under license of the Racing Commission.

The harness tracks are comparatively new. This type of racing was authorized by an act of the General Assembly of 1947. There are now four such tracks. One is Rosecroft Trotting and Pacing Association, which operates Rosecroft Track in Prince George’s County. Another is the Laurel Harness Racing Association, operating Laurel Raceway in Howard County. Third is Baltimore Trotting Races, Inc., operating Baltimore Raceway in Baltimore County. Finally, there is Ocean Downs Racing Association, which conducts the Ocean Downs track in Worcester County.

The Maryland Racing Commission was first organized on July 22, 1920, pursuant to an enactment of the General Assembly earlier in that year. Prior to 1920, those tracks which were
holding race meetings were not subjected to any State supervision. At the same time, they were not authorized by the State to conduct pari-mutuel betting, although tradition has it that the ubiquitous "bookies" were always present.

At the present time the State of Maryland is authorizing a total of 230 days of racing annually. One hundred of these days are for flat racing at the mile tracks. Until a year or two ago, there were four of such mile tracks that divided the total allotment at the rate of 25 days each. Since the sale and closing of the Havre de Grace track, the other three tracks have divided the hundred days. The plan is that each track has 23 days of racing annually, with the extra day being allotted to the several tracks in rotation. Each track has a spring and a fall meeting.

The five half-mile tracks—Hagerstown, Cumberland, Bel Air, Marlboro and Timonium—have ten days of racing annually for each, and each conducts its racing season at one time. This makes a total of 50 days racing annually at the half-mile tracks. An additional ten days of pari-mutuel betting are authorized at Pocomoke, as has been said, but they have never been used.

Each of the four harness tracks—Baltimore Raceway, Rosecroft, Laurel Raceway and Ocean Downs—is allotted up to 20 days of harness racing. Each of these meets is conducted as one unit, so that if weather conditions permit a full schedule there is a total of 80 days of harness racing annually. Three extra days are reserved for each harness track, so that in the event of rain it can postpone up to three days of racing and still not lose them entirely.

Along with its regulation of racing tracks, Maryland has employed a variety of methods for imposing taxation and exacting license fees from the tracks. Over the years the resulting revenue has become an important item to the State. In the 1951 racing season, for example, there was net revenue to the State from race tracks of nearly $5,500,000. The methods of taxation and of licensing are generally as follows:

Mile tracks—license fee of $1,000 per day; 4% of money wagered to the State; 5½% of money wagered to the association; ½ of 1% of the money wagered to the Racing Fund, for plant improvements; ½ of the breakage to the State, ½ to the racing association.

Half-mile tracks—1% of the first $1,500,000 wagered to the State; 11% of the first $1,500,000. wagered to the racing association; 6% of all over $1,500,000. wagered to the State; 6% of all over $1,500,000. wagered to the association; ½ of the breakage to the State; ½ of breakage to the association.
In addition to these fees paid to the State, each half-mile track pays a fee of $50 for each day of its race meeting to the county treasurer of the county in which it is located.

Harness tracks—License fee of $25 per day;
1% of first $2,000,000. wagered to the State;
11% of the first $2,000,000. wagered to the racing association;
4½% of all over $2,000,000. wagered to the State;
7½% of all over $2,000,000. wagered to the association;
All breakage goes to the State.

As can be seen, there are three main types of fees and taxes. First are the license fees. Secondly, there is the breakage. Finally, the State taxes the money wagered in the pari-mutuel machines, permitting each racing association to take a stipulated part of the amount which goes into the machines, with the balance going to the pari-mutuel bettors.

The bulk of the State's revenues from racing come from its taxing of the pari-mutuel pool. Millions of dollars are bet annually, and seemingly the trend is steadily upward. In the 1951 season, the following amounts were bet at the mile tracks:

<table>
<thead>
<tr>
<th>Track</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pimlico</td>
<td>$20,090,386.00</td>
</tr>
<tr>
<td>Bowie</td>
<td>19,448,199.00</td>
</tr>
<tr>
<td>Laurel</td>
<td>20,018,724.00</td>
</tr>
<tr>
<td>Havre de Grace</td>
<td>20,068,869.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$79,626,178.00</strong></td>
</tr>
</tbody>
</table>

The total amount bet at the mile tracks in 1951 represented an increase of 12.47% over that bet during the 1950 racing season. In late 1951, the Havre de Grace track was sold and no longer devoted to racing. The three other tracks, however, divided the 25 days which previously had been accorded to Havre de Grace. The increase in amounts bet can be seen from the fact that at the Laurel spring meeting in 1952, which lasted for 33 days, there was a total bet of $83,972,856.

Betting at the five half-mile tracks in 1951 was as follows:

<table>
<thead>
<tr>
<th>Track</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bel Air</td>
<td>$3,688,964.00</td>
</tr>
<tr>
<td>Timonium</td>
<td>3,573,958.00</td>
</tr>
<tr>
<td>Marlboro</td>
<td>3,686,007.00</td>
</tr>
<tr>
<td>Cumberland</td>
<td>2,121,098.00</td>
</tr>
<tr>
<td>Hagerstown</td>
<td>2,846,342.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$15,916,369.00</strong></td>
</tr>
</tbody>
</table>

This total for 1951 represented an increase of 27.48% over the amount bet at the half-mile tracks in 1950.

*Since the Havre de Grace property had been sold and Bowie did not operate its meeting on its own track, the racing meets were all conducted at Laurel and Pimlico, but on behalf of all four tracks.*
The four harness tracks in 1951 had total pari-mutuel betting as follows:

<table>
<thead>
<tr>
<th>Track</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laurel Raceway</td>
<td>$6,067,996.00</td>
</tr>
<tr>
<td>Ocean Downs</td>
<td>2,560,128.00</td>
</tr>
<tr>
<td>Rosecroft</td>
<td>5,532,369.00</td>
</tr>
<tr>
<td>Baltimore Raceway</td>
<td>5,326,767.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$19,487,260.00</strong></td>
</tr>
</tbody>
</table>

This total for 1951 represented an increase of 15.55% over the amount bet at the harness racing tracks in 1950.

In summary, at all Maryland tracks in the 1951 season, there was a total pari-mutuel pool of $115,029,807, representing an increase of 14.86% over the amount bet in Maryland in 1950.

The State's revenues from the mile tracks in 1951 (not including license fees) were as follows:

<table>
<thead>
<tr>
<th>Track</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pimlico</td>
<td>$939,965.59</td>
</tr>
<tr>
<td>Bowie</td>
<td>903,275.91</td>
</tr>
<tr>
<td>Laurel</td>
<td>941,376.81</td>
</tr>
<tr>
<td>Havre de Grace</td>
<td>941,236.56</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,725,854.87</strong></td>
</tr>
</tbody>
</table>

These figures represented an increase of 12.51% over the revenues derived in 1950.

Revenues to the State in 1951 from the half-mile tracks were as follows:

<table>
<thead>
<tr>
<th>Track</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bel Air</td>
<td>$169,363.15</td>
</tr>
<tr>
<td>Timonium</td>
<td>167,297.95</td>
</tr>
<tr>
<td>Marlboro</td>
<td>179,668.80</td>
</tr>
<tr>
<td>Cumberland</td>
<td>67,022.35</td>
</tr>
<tr>
<td>Hagerstown</td>
<td>116,262.80</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$699,610.05</strong></td>
</tr>
</tbody>
</table>

This total represented an increase of 87.58% over the revenues to the State derived from the 1950 racing season.

The revenues to the State from the harness racing tracks in 1951 (not including license fees) were as follows:

<table>
<thead>
<tr>
<th>Track</th>
<th>Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laurel Raceway</td>
<td>$295,763.40</td>
</tr>
<tr>
<td>Ocean Downs</td>
<td>86,154.50</td>
</tr>
<tr>
<td>Rosecroft</td>
<td>260,358.03</td>
</tr>
<tr>
<td>Baltimore Raceway</td>
<td>248,790.28</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$891,061.21</strong></td>
</tr>
</tbody>
</table>

This represented an increase of 31.99% over the revenues derived from the harness racing tracks for the 1950 season.

In summary, the State derived direct revenues from the race tracks for the 1951 season of $5,418,526.13, this being an increase of 21.76% over the revenues for 1950. If to this figure is added the revenue paid directly to the State Comptroller by the race-
tracks for tax on admissions, and also the license fees, the revenue to the State from racing for the 1951 calendar year amounted to a grand total of $5,460,477.09.

It is worthy of mention also that this revenue derived by the State was secured at a very low administrative cost. The current budget of the Maryland Racing Commission is approximately $35,000 annually.

Beginning for the calendar year 1947 and continuing annually thereafter, one-half of one per cent. of the total amount of money wagered at each mile track has been deducted and paid over to the State Racing Commission to be placed in the Racing Fund. This is a fund which is held for the purpose of helping to finance capital improvements at the several mile tracks. This money may be expended by the tracks only with the written and express permission of the Commission, for any substantial alterations, additions, changes, improvements or major repairs to or upon the property owned or leased by a licensee. In determining whether to make such a grant from the Racing Fund, the Commission is to give due consideration to whether its expenditure in each instance would promote the safety, convenience or comfort of the racing public and horseowners, and generally whether it will tend toward the improvement of racing in the State. There is a general requirement also that unless amounts paid into the Racing Fund have been spent or binding commitments have been entered into for their expenditure within three years from the last day of collection, the unspent portion shall then revert to the general funds of the State. However, special provisions were enacted covering the difficulty of spending such money during emergency periods because of the difficulty of securing materials.

Pimlico

Officials representing the management of Pimlico racetrack first appeared before the committee on June 2, 1952. The Pimlico track is controlled by a voting trust, which represents more than two-thirds of the controlling stock. There are four major stockholders in the voting trust, namely, Mr. Alfred Gwynn Vanderbilt, Mr. John D. Schapiro, Mr. E. Barry Ryan, and Mr. C. Ewing Tuttle.

Gen. Milton A. Reckord, President of the Maryland Jockey Club, which operates the Pimlico Track, stated that Pimlico has about $717,000 available and in escrow in the Racing Fund for improvements, and he estimated that before the end of 1952 the improvement fund would approximate some $900,000. By planning to use this money and also taking some from the club's treasury, General Reckord stated that a reconstruction program could be undertaken to cost between $1,200,000 and $1,500,000 soon after the lifting of curbs on building materials. He said further that the directors of Pimlico want to maintain it at its present site in Baltimore or certainly within the limits of Baltimore City.

General Reckord spoke also as to the problems of expansion at the Pimlico track. The main premises of the track are located on a tract of approximately 87 acres. Eastward from the track and grandstand and lying to the east of Old Pimlico Road, there
is an additional tract of approximately 25 acres. General Reckord stated an intention on the part of the Pimlico management to have an ordinance introduced into the City Council of Baltimore to rezone these 25 acres from residential to first commercial, in order that they could be used directly for the purposes of the track and thus expand its possible facilities. He said, however, that if this rezoning plan does not materialize, there would have to be a serious re-examination of the whole problem.

In the fall of 1950, a resolution calling for the rebuilding of Pimlico at its present site was passed by the board of directors of the Maryland Jockey Club. Because of numerous changes in the management and in the board of directors at Pimlico between 1950 and 1952, it was doubtful by the time of the latter year as to the precise effectiveness of this resolution, and as to whether or not it then represented the intention of the Pimlico management. At separate times in 1952, members of the special committee on racing and also members of the State Racing Commission inquired of the officers and directors of the Pimlico track what their present intentions and plans were as to rebuilding or improving on this site. Very specific questions on this subject were put to General Reckord and other representatives of Pimlico when they appeared before the special committee on June 2nd.

Also, on July 1, 1952, the State Racing Commission had General Reckord before it and further asked for specific plans and commitments as to what was the intention of the Pimlico management. At this time, General Reckord was asked to submit within two weeks a specific “yes” or “no” to the question of rebuilding Pimlico on the present site. He stated at that latter time that he had a set of plans for the rebuilding, but the State Racing Commission would not officially receive them until they were supported by a resolution of the current board of directors.

About the same time, as recorded in the public press, General Reckord stated to the Racing Commission that Pimlico would rebuild its little club house and grandstand immediately after the lifting of building restrictions if two conditions were met. These were, first, that the Racing Commission would consider architects’ fees in the over-all cost of construction and therefore deductible from the Racing Fund held in escrow; and secondly, that the 25 acres east of Old Pimlico Road be rezoned as first commercial so that stables could be constructed there.

On August 19, the committee had a further hearing with General Reckord concerning developments and plans for the Pimlico race track since he had last appeared before the committee.

General Reckord then stated that he had gone to the Racing Commission on July 1 with a proposed list of improvements at Pimlico. The estimated cost was approximately $250,000, and it was planned to complete these improvements prior to the fall meeting of 1952. Pimlico’s proposal was that $200,000 of the cost should come from the Racing Fund, with the balance to be paid for by the track. This program of improvements, he said,
was to be evidence of good faith on the part of Pimlico as to its intention to keep and improve the track at the present site.

The Racing Commission, General Reckord continued, had given verbal approval of some of these improvements, to cost approximately $109,000. The Commission took out of the proposed program improvements to some parts of the Pimlico plant which would be subject to demolition within a year or two under a master plan for rebuilding. For example, there was a $10,000 heating plant for the little clubhouse included in the proposals made by the Pimlico management. Because this clubhouse was to be torn down within a year or so, the improvement was considered unnecessary by the Racing Commission. The Racing Commission also told the Pimlico management that the money for the program must come out of the Pimlico treasury and that the track would not be reimbursed from the Racing Fund. It was said by one member of the Commission that the Commission wanted to make sure that none of the Racing Fund money gets away for "fringe" benefits; or, as put by another member, the Commission wanted to make sure that the Racing Fund was not handed out "in dribs and drabs." There was some discussion at the time as to whether the Racing Commission could legally require that these building plans be curtailed or whether it could simply request the Pimlico management to do so. In any event, the outcome seemed to be that the Pimlico management acceded to the wishes of the Racing Commission.

Up until August 19, however, the Maryland Jockey Club received no subsequent confirmation in writing from the Racing Commission for the expenditure of $109,000. It therefore did not begin any of these improvements, and it was General Reckord's opinion that with the loss of over six weeks, there was not then sufficient time during which to accomplish this work prior to the fall meeting of 1952.

In reply to a question, General Reckord stated that the ordinance for rezoning the 25-acre tract east of Old Pimlico Road had been drawn and was ready for presentation to the City Council of Baltimore when it would reconvene on October 14. In answer to another question, General Reckord stated that there is a firm commitment on the part of the board of directors at Pimlico to stay at the present site and to improve it. Also, it was his feeling that if there were no restrictions on building materials the current board of directors would vote to rebuild the entire plant. The track, he said, had already engaged architects for the job, and it was General Reckord's estimate that the cost would be about $3,000,000.

Mr. Frank Small, Jr., Chairman of the Racing Commission, also was present at this meeting on August 19. He stated that the Racing Commission wants Pimlico to spend its own money and also that which is credited to it in the Racing Fund only for permanent and long-time improvements as part of an entire rebuilding of the Pimlico plant.
In answer to an inquiry as to why the Racing Commission had given no definite answer in writing to Pimlico even as to the improvements for $109,000 which had been verbally approved, Mr. Small mentioned his hope that building restrictions might be lifted before the spring of 1953. In this event, he continued, perhaps the over-all plan for improving Pimlico could be in progress by that time. The present program for $109,000 then could become part of the larger program, as the $109,000 program is not vital before the fall meeting of 1952. Mr. Small said that the Commission probably is due for some criticism for not letting Pimlico go ahead with its $109,000 program, or at least for holding the matter in abeyance and not giving a definite “yes” or “no” answer. Mr. Small said that the Commission would advise the Pimlico group promptly as to what might be done.

Mr. John D. Jackson, the new general manager and a consultant on new construction at Pimlico, was introduced before the committee on August 19.

Laurel

Mr. John D. Schapiro, President of Maryland State Fair, Inc., appeared before the special committee on racing on June 24, 1952, to explain the plans and prospects for the Laurel track. He stated that since 1946 a total of $1,300,000 has been spent on improvements at Laurel. Further, he said, an expenditure of from $250,000 to $300,000 was planned for 1952. The program included the replacement of several barns and also the installation of a ramp instead of the steep steps from the top of the grandstand to the mezzanine. At the same time, he said, this track is inaugurating a turf racing program to improve the quality of racing. He recommended that if all the days of racing were allotted at one time, instead of having split meetings, there would be a decrease in running expenses and also an improvement in the quality of racing, since more stables would be attracted to the meeting.

Mr. Schapiro, who also was participating in the management of the Pimlico track, stated that in his judgment the Maryland Jockey Club would not be justified in rebuilding at Pimlico considering the fact that it had only 38 days of racing annually. Even if there were 50 days of racing, he thought that rebuilding Pimlico would not be justified. He said definitely that the Maryland Jockey Club could not support racing with 33 days of racing in its present location, having only 112 acres of land. Mr. Schapiro estimated that it would cost a minimum of $6,000,000 and perhaps as much as $8,000,000 to build a good modern racing plant at Pimlico.

Bowie

Mr. L. S. McPhail appeared before the committee on July 8, 1952. He discussed in some detail the competition between Maryland and New Jersey tracks and pointed out that the main problem of the Maryland tracks is to meet the competition offered from New Jersey. He said that the total stake and purse dis-
tribution at the three Maryland mile tracks in 1951 was $2,798,000 while at the same time the three New Jersey tracks put up $4,319,000. That, he said, is one of the reasons why New Jersey gets many of the better stables that would otherwise prefer to race in Maryland. Parking facilities at the Maryland tracks, he continued, are woefully inadequate. Rest rooms, concessions and comfort facilities at all the mile tracks are inadequate, and at two of the tracks in Maryland, in his opinion, they are disgraceful.

However, Mr. McPhail continued, the outlook for the Maryland mile tracks is not at all hopeless. Two of the three Maryland mile tracks, he pointed out, are located midway between Baltimore, the sixth largest city in the United States, and Washington, the capital of the United States. Considering the growth of the metropolitan areas surrounding Baltimore and Washington from 1940 to 1950, he believes there is some reason to suppose that by 1960 the metropolitan population of the Washington-Baltimore area will be larger than the population of the Philadelphia area upon which the New Jersey tracks draw so heavily.

Speaking more specifically of the competition between New Jersey and Maryland, Mr. McPhail pointed out that the attendance at the three New Jersey mile tracks in 1951 of over 2,000 persons more than doubled the approximately 1,000,000 who patronized the three Maryland mile tracks. Next, the mutuel handle at the three New Jersey tracks was $187,000,000 against $79,000,000 at the three Maryland tracks. Finally, the State of New Jersey received net income of $14,500,000 against $3,900,000 which the State of Maryland received from its mile tracks.

Continuing, Mr. McPhail made these statements to the committee:

"And now here is an amazing fact: The Maryland mile tracks gave out nearly as much in daily average purse distribution to horsemen as they did in New Jersey. The daily average purse distribution at Garden State (best in New Jersey) was $31,812. Pimlico's daily average was $31,454. In an endeavor to attract the better stables and horses, and to give the public the best possible racing in the spring of 1951, Bowie distributed 63.9% of its income from the mutuel handle in purses. Pimlico distributed 61.3%, and Laurel 47.2%, or an average of 57.4% for the three Maryland mile tracks. Garden State gave the horsemen 43.6% of its revenue from the mutuels.

"In the fall of 1951, Laurel distributed 60.4%, Pimlico 57.8%, and Bowie 44.9% for an average of 54.3%, as compared with Garden State's 44.2%. The average for the three Maryland tracks for the year of 1951 was 56%—for Garden State 44%.

"From these figures it will be apparent to you that the Maryland tracks are already giving 12% more of their net income from the mutuel handle in purses than is Garden State. On this basis there just isn't much left for more and better stakes or any increases in purse distribution. Here is another comparison which will illustrate what the Maryland mile tracks are up against: New York has five mile tracks. They race on 197 days,
an average of 39-2.5 days per track. New Jersey and Delaware have four mile tracks. They get 173 days, an average of 43-1/3 days per track. The three mile tracks in Maryland get 100 days, an average of 33 days per track."

Because of the necessity under present conditions of avoiding competition with Delaware and Garden State tracks and to avoid interfering with the operations of the half-mile tracks, continued Mr. McPhail, the mile tracks in Maryland have been forced to split their dates into short meetings. The longest meeting at a Maryland mile track in 1951 was eighteen days; the shortest was twelve days. This, he said, is economically unsound.

The trotting tracks, he said further, came into the Maryland racing picture in 1947 and have been awarded 80 days of racing. The half-mile tracks get 50 days. The mile tracks are limited to 100 days. As a result, Mr. McPhail submitted these statistics to the committee: The mile tracks raise 71% of the revenue and are awarded 43% of the dates. The harness tracks produce 16% of the revenue and are awarded 35% of the dates. The half-mile tracks produce 12% of the revenues and get 21% of the dates.

As for the Bowie track, Mr. McPhail said, it was putting every dollar of its net income from the spring meeting of 1952 into increasing stake and purse distribution for the fall meeting. In addition, Bowie was spending more than a million dollars of its own money in needed capital improvements.

Horsemen's Benevolent and Protective Association

On July 29, 1952, the special committee on racing met with representatives of the Horsemen's Benevolent and Protective Association. Mr. Alfred C. Paul, vice-president of the Maryland-Delaware-West Virginia Division, and Mr. John A. Mancuso, representing the National Association, appeared at that time. Mr. Paul protested against the effect of Section (e)(6) of the Racing Commission's Rule 26, which permits the suspension of any owner or trainer who starts a horse in a race if the animal is affected with periodic ophthalmia. Mr. Paul stated that such a condition might develop in a horse without the owner or trainer being aware of it.

Mr. Paul referred further to the high cost of maintaining horses at the half-mile tracks and recommended that they be permitted to race for twelve days within a period of two weeks, rather than for ten days. This would eliminate the two "dark days" now necessary at each of the half-mile tracks. For the same reason, he criticized the Maryland Racing Commission for permitting blank days in the racing schedules of the mile tracks, stating that the four blank days in the schedules of the mile tracks would cost horsemen racing in Maryland in the aggregate some $48,000.

In reply to questions from members of the special committee, Mr. Paul referred particularly to conditions on the back stretches of the Maryland tracks. Over 50% of the back-stretch help lives in horsestalls, he said. There is an excessive shifting and turnover among personnel on the backstretch. An improvement
of living conditions would attract better men and raise the calibre of the employees. He recommended that the Racing Commission should regulate the personnel working on the backstretch.

Mr. Mancuso, representing the national organization of the Horsemen's Benevolent and Protective Association, also spoke at some length on the hardship to the horsemen caused by the "blank days."

Harness Tracks

On August 1, 1952, the special committee met with the representatives of the several harness tracks in Maryland. First to testify was Mr. R. H. Hutchison, Jr., of Laurel Raceway. Mr. Hutchison recommended that each harness track should be allowed additional days of racing. He pointed to the competition between Maryland and other states as to getting horses and horsemen to come to the State. Maryland, he said, is the only state limiting its harness tracks to twenty days each. Because of the different hours of racing, he said, there is no necessary competition as between the mile tracks and the harness tracks, certainly if the two tracks are operating at the same time at widely separate locations. He recommended that no additional harness tracks should be established, but that the four present tracks could handle the demand for harness racing if they had additional days. With more days of racing, he said, limitations could be imposed by the tracks against the racing of inferior horses, and the general level of racing could be improved. He submitted to the committee figures showing that in the rest of the United States the average number of days of harness racing per track per year was 57. In the state of New York, he pointed out, there are in the aggregate 460 days of harness racing alone each year, plus nearly 200 more days of flat racing.

Mr. Hutchison stressed particularly the improvements made at Laurel Raceway during the last five years for the comfort and convenience of horsemen. There are showers and restrooms, he said, and a restaurant and recreation room for horsemen.

Mr. Emanuel Gorfiné appeared before the committee representing Baltimore Raceway. He also suggested that additional days of racing be allotted to the harness tracks and said that the present 80 days of harness racing have not at all hurt the parimutuel handle at the mile tracks in Maryland.

Mr. M. Hampton Magruder, representing Rosecroft, asked that each harness track be allotted 25 days of racing annually.

Mr. John W. Miller, secretary-treasurer of the Rosecroft track, pointed out that in 1952 Rosecroft ran two days against Pimlico and ten days against Bel Air, yet with all this competition within the State, Rosecroft's mutuel pool was up 22%. He also requested additional days of racing for the harness tracks. He said that the cost of stabling horses in 1952 at the harness tracks was greater than the total of the purses.

Mr. Seymour O'Brien, counsel for Ocean Downs, reviewed the special problems of this track. He stated that it was removed from the centers of population and depended upon summer
crowds, and while the track would like to have additional days of racing, they would have to be scheduled during the vacation period. He pointed out that there certainly was no conflict as between Ocean Downs and any Maryland track for flat racing.

**Half-Mile Tracks**

At its meeting on August 12, 1952, the committee met with representatives of all the half-mile tracks in the State.

Mr. Charles J. Kunkel appeared on behalf of the Bel Air track. He said that very few improvements had been made in the last year or two because of building restrictions. This track has purchased six acres of land adjoining its present location and plans to rebuild stables for approximately eighty horses. Mr. Kunkel added that all stalls were equipped with doors following the 1952 meeting. In answer to inquiries, Mr. Kunkel said that there are no special living quarters for the horsemen. They either use public toilets under the grandstand or three outside toilets located on the backstretch and in the adjacent woods. Mr. Kunkel's opinion was that new toilet facilities are needed at Bel Air.

The general manager of Bel Air subsequently wrote to the committee of his intention to build two stables of 50 stalls each and also a barn of 50 stalls, in place of an old shed row. Also, he said Bel Air would install showers and toilets to accommodate all the stables.

Mr. William F. Schluderberg appeared representing Timonium. He said that the track had been widened this year and that new facilities had been added for that portion of Timonium devoted to the Fair. Mr. Schluderberg recommended that racing be permitted for two full weeks of six days each.

Mr. Ed Farrell, vice-president of the Marlboro track, submitted a statement to the committee. He listed a number of the physical facilities which help to attract and keep customers, including comfortable seats, good dining room service, convenient transportation, and adequate parking facilities.

Mr. Farrell stated that the mile tracks do not need more racing days than at present. He recommended a new “take” law at the mile tracks, which, in his opinion, would adequately provide for these tracks. His recommendation was that on the first $15,000,000 of mutuel sales, the State should receive 4% and the track 7%. On all over $15,000,000 of mutuel sales, the State should receive 4½% and the track 6½%. Breakage would be computed to the dime, one-half to the State and one-half to the track.

In reply to a question, Mr. Farrell recommended that the “dark days” be eliminated at the half-mile tracks, although he cautioned against having too many days of racing in the State.

Mr. Fred Colwill, Racing Secretary at Cumberland, spoke to the committee about the problems of that track. He said that the racing plant is maintained and operated efficiently. A few years ago one of the buildings on the property was opened as a recreational area for the horsemen. Mr. Colwill stated that two
extra days of racing would be an asset to the horsemen since the care and stabling of their horses for the two dark days would amount in the aggregate to at least $6,000.

Dr. Robert Snavely, general manager of the Hagerstown track, stated that two extra days of racing would be advantageous both for the horsemen and the tracks. Dr. Snavely spoke generally about the recent modernization of the Hagerstown plant: but had no suggestions to offer to the committee.

Pari-Mutuel Employees

At its meeting on August 19, 1952, the committee heard from representatives of two groups appearing on behalf of the pari-mutuel employees. Mr. Milton Talkin, attorney for the AFL union, presented a statement. He was supported by Mr. Charles Robson, President of Local No. 297 of this union. There were two main recommendations from this union. First, that any contract between a track and its employees should be public information. Secondly, that the tracks should be prohibited from discriminating against any employee on account of his union activities.

Mr. Milton Sherbow, business agent of the Independent Association of Race Track Employees, Inc., asked for more work (i.e., more racing days) for pari-mutuel employees. He cited particularly that the pari-mutuel employees must pay seven days' living expenses for five days' work at the half-mile tracks.

Mr. John J. Flynn stated to the committee that he belongs to neither organization of employees. He asked for a better assurance of opportunities to work for any competent pari-mutuel employee. A stricter enforcement of the Racing Commission's Rule No. 97 (d), he said, would help keep employment as continuous as possible.

It was evident to the committee at this meeting that there is some feeling between the two organized groups of pari-mutuel employees. However, those who appeared before the committee were cautioned by the chairman that these matters were outside the province of this committee.
CONCLUSIONS AND RECOMMENDATIONS

The members of the Special Committee on Racing are unanimously and firmly convinced of the necessity for a general and extensive improvement in the quality of racing in this State. Because of the tens of thousands of people who enjoy the sport and because of the millions of dollars of revenue derived by the State annually in taxes and license fees, horse-racing in Maryland has become imbued with a public interest and the State has long been committed to its supervision.

Maryland over the past years has held a high position among all the states of the Union for the excellence of its racing programs. However, increasingly during recent years Maryland tracks have faced growing competition from the tracks in adjoining states. It has become evident that if the sport is to continue on a high plane in Maryland, to be a lucrative source of revenue to the State, to attract the finest stables in the country, and to provide a source of pleasure to thousands of Maryland citizens, immediate drastic improvements and revisions must be made in the conduct of racing. The plants and physical facilities of the race tracks must be improved. The supervision and leadership of the Racing Commission must be vigorously multiplied. The State needs a transformation in the thinking and the planning of those connected with horse racing in Maryland.

Racing Commission

The first and most evident conclusion of the Special Committee on Racing is that the State Racing Commission needs an immediate and a drastic revitalizing. In too many instances, in our opinion, the Racing Commission has been weak and lax in its leadership and in its supervision of racing. We question whether the Racing Commission has been sufficiently insistent on the improvement of the physical plants and facilities of the several tracks in Maryland. We do not believe that it has used its influence sufficiently in having purses increased and thus attracting better horses and stables to Maryland. We think it has not been sufficiently strict in controlling the day-to-day operations of the tracks. We find laxity in ordinary administrative matters, as in the instance in which the Pimlico track was needlessly held up for weeks in a program of improvements. This program, small though it was, was a step in the right direction; but by reason of the procrastination of the State Racing Commission it was impossible to go ahead with the program at the time planned and hoped for by Pimlico.

The problem of Pimlico brings into sharp focus the lax leadership of the Racing Commission during recent years. Pimlico is in crying need of improvement and modernization, yet so far as this committee can determine no one in Maryland, including the Racing Commission and the Pimlico management, knows what its outcome may be. Pimlico has not been rebuilt;
there are no definite plans for its rebuilding; the rezoning of the tract east of old Pimlico Road has not yet been formally proposed to the City Council of Baltimore. Years of talk have yielded nothing but more talk. Inevitably, rumor and uncertainty have crept in to fill the absence of fact and certainty. We hear that Pimlico is “stalling,” that Bowie and Laurel want to see Pimlico closed so they can divide between themselves all mile racing in Maryland, that even key officials at Pimlico cannot speak for the track.

Yet, in the face of continued inaction and indecision at Pimlico, and in spite of the definite harm to the prospects of racing in Maryland, the Commission has renewed Pimlico's license annually. It has even given Pimlico additional days of racing, following the sale of Havre de Grace. We think that the Racing Commission’s part in the story of Pimlico has been distinctly unimpressive, and that its record at this one track alone shows the need to reorganize the Commission and to rejuvenate the thinking of its members.

Our first recommendation is that the Chairman of the Racing Commission should be a full-time official, with a salary commensurate with the time he will devote to his duties and to the responsibilities of his position. We suggest a figure of $15,000 annually for salary. We can appreciate the difficulty of requiring any person to give his full time to any such position. For this reason, we propose an amendment to the present law which states the reasons for which the Governor may remove any member of the State Racing Commission. At present, the Governor is empowered to remove any commissioner for inefficiency, neglect of duty or misconduct in office. To this list, we propose, in the case of the chairman of the Racing Commission, that the Governor also be empowered to remove him upon evidence that he is not spending full time at his duties as chairman during ordinary business hours, and particularly on the days on which racing is being conducted at any track in Maryland.

We propose that the chairman of the Racing Commission be set up as a sort of Executive Director, operating on a full-time basis; that he be required to be in attendance in his office or at the tracks at all times during normal business hours and when races are being conducted; that he be required as a general rule to attend daily at every track in Maryland during its racing season; and that he be at a specified place at each track in order to perform the duties and exercise the supervision which we suggest rightfully belong to this official.

The two associate members of the Racing Commission should continue to be part-time positions. Their task will be to assist in the setting of policy and not to take part in the administrative duties of the State Racing Commission. The policy of having minority representation on the Racing Commission should be continued, of course. We recommend also that as future appointments are made to the Racing Commission, each be made subject to confirmation by the Senate of Maryland.

What we need particularly in the chairmanship of the Maryland Racing Commission is a man of energy and foresight, a man who will aim to be on the job at every track. Such an official could
help to correct the deplorable physical conditions which we have found existing at some of the Maryland tracks, and of which we are highly critical. It is our belief that setting up the chairman of the Racing Commission as a full-time active job will at least provide for this official and for the entire commission the knowledge of these conditions, which is the first step in their control and eradication.

Some of the specific duties which we propose for the Racing Commission, and particularly for the chairman of the commission are set out below in that portion of the recommendations and conclusions having to do with the day-to-day operations of the tracks.

Mile Tracks

Without in any sense implying any criticism or slighting of the half-mile and harness tracks, this committee believes that the main future of racing in Maryland rests with the mile tracks. It has been true not only in Maryland but in other states having harness racing and half-mile tracks that the best horses, the largest purses and the greatest crowds inevitably have been drawn to the mile tracks. It is our judgment, therefore, that the mile tracks represent the greatest problem in Maryland racing and that to them should be given the primary efforts of the public and of the Racing Commission.

We recommend first that the three mile tracks be mentioned specifically by corporate name in that part of the racing laws which allocates the days of racing. Thus, in the section having to do with harness tracks, the law specifically provides that each of the four named harness tracks shall have a maximum of twenty days each of racing. Likewise, in the law relating to half-mile tracks, the law provides definitely that each of six named half-mile tracks may have up to ten days each of pari-mutuel betting. Similarly, we believe that the law concerning mile tracks should mention them by corporate name and location.

A majority of the committee proposes that each of the present three existing mile tracks be given a total racing season of 36 days annually. This would have the effect of raising from 100 to 108 days the total number of racing days annually allotted to mile tracks. We believe this will be wise in order that each mile track then may conduct its meetings in weekly units of six days each. Perhaps the main advantage from this system would accrue to the horsemen in that they would not have the so-called “dark days” with which to contend. As a general rule, races would be able to start on Monday and go through until Saturday of every week during which there is to be racing at any track. Also, there would not be dark days during the course of the meet. At Laurel this year there are three dark days. The horsemen must pay for the upkeep of their horses on these days, with no compensation in the form of potential purses.

The tracks also would benefit, of course, from the three extra days of racing allotted to each. Likewise, the State's revenues
from pari-mutuel racing would be increased. We believe that the benefits from this slight increase in the over-all number of racing days would far outweigh any question of the increase in the aggregate amount of racing. The extra days probably could be absorbed in the present dark days, so that the over-all length of the racing season need not be increased. Even this number of days for the mile tracks would be far below those allotted in neighboring states; New Jersey has about 150 and New York has almost 200 days of mile racing.

Along with mentioning the mile tracks by corporate name and with the increase in the number of racing days allotted, we propose that the racing laws be amended to require that the sale or discontinuance of racing at any track shall not carry with it the transfer of that track’s racing days to any other track. The present provisions for emergency transfers should be continued, but we definitely oppose any transfer of racing days dependent upon the sale or permanent discontinuance of racing at any track. We point out, for instance, that the recent sale of the Havre de Grace track was a thinly veiled sale and purchase of racing days. These are matters which are vital in the economy and fiscal program of the State of Maryland; and we do not believe that they should be left up to chance or up to the whim of the tracks themselves, by a decision approved more or less casually by the Racing Commission. It is entirely in the discretion of the individual tracks, of course, whether they may at any time sell their tracks or discontinue racing. However, it is our firm judgment that any such sale should be a sale of physical properties only and should not be a sale of racing days which by law are to be allotted by the State.

Likewise, we recommend that if any mile track is owed money by the Racing Fund at the time it is permanently closed, such funds shall revert to the State and shall not be paid out to any successor or substitute track.

The committee has another recommendation concerning the mile tracks. By law each track now is required to pay annually to the Maryland State Fair Board the sum of $4,000 and to the Maryland Horse Breeders’ Association the sum of $2,000. This provision meant that while four mile tracks were operating in the State, the Fair Board received annually a total of $16,000, and the Breeders’ Association received $8,000. Both these aggregate sums were reduced when the Havre de Grace track was sold, and they could be further reduced if another mile track should be closed. The recommendation of the committee is that the mile tracks—whatever may be their number—be required in the aggregate to make these payments amounting in total to $24,000 annually, divided in the proportions given above.

Also, the Commission should require that minimum purses for overnight races be increased from $20,000 to $28,000 daily. The lower figure was set in 1946 and is no longer adequate.

Finally, as to the mile tracks, we underscore particularly the need for continuing programs of physical improvements. Great
new tracks have been constructed in the states around Maryland. Competition among the states is becoming strong and intense. Without modernized tracks offering the latest accommodations and conveniences for the customers and without definite account being taken of the needs of the horsemen and of the necessity for treating the horsemen and their employees as human beings, the Maryland tracks simply will not be able to attract the best stables and the best horses.

We commend the Bowie and Laurel tracks for their recent disposition to make extensive improvements. At Bowie, in particular, there is a great program of reconstruction now in progress.

On the other hand, the members of this committee are not at all impressed by what has been done and what has been planned at Pimlico. Considerable work has been accomplished at some of the other Maryland tracks, but not at Pimlico. During the post-war period four new harness tracks were constructed; Hagerstown was virtually rebuilt; Bowie and Laurel are being much improved; lesser plans have been started and completed at other State tracks; and great, well-planned tracks have been completed in neighboring states. With all this activity elsewhere, virtually nothing has been done at Pimlico. We have heard of "plans" which have existed for Pimlico for many years. We have been assured that the management at Pimlico wants to continue racing at Baltimore and would prefer to continue at its present site. We have been assured of their earnest endeavors and hopes toward a remodeling and complete reconstruction of the Pimlico plant. With all the assurances, however, there has been little done by way of actual construction. We are not unmindful of the program which was suggested by the Pimlico management during the summer of 1952 for a series of small improvements aggregating about $250,000 in cost. We appreciate, too, that this program was reduced by the Racing Commission to approximately $109,000 and then was never begun by reason of the delay of the Racing Commission in giving Pimlico an official approval of the program. At the same time, we point out that the sum involved and the improvements contemplated at Pimlico during the summer of 1952 were small ones indeed in relation to the total need. It is the unanimous opinion of the members of this committee, and indeed the considered judgment of persons everywhere familiar with horseracing, that the Pimlico plant needs to be rebuilt entirely. We approve fully the efforts which have been promised by the Pimlico management to secure the rezoning of the 25-acre tract east of Old Pimlico Road.

Pimlico has really developed into the focal point of the committee's investigation. We recommend that the Maryland Racing Commission immediately meet with the management of Pimlico and set a definite and positive date when Pimlico must submit an over-all plan for the complete rebuilding of the racing plant. We suggest, of course, that racing at Pimlico be interfered with as little as possible and we approve the idea voiced by the Pimlico management that if such a rebuilding is accomplished, it be
started immediately after the spring meet. That would mean that if Pimlico races its fall days at another track, the major part of the improvements probably could be completed in time for the spring meet in the following year.

Pimlico is one of the two or three tracks in Maryland and the only one of the existing mile tracks which must receive the primary attention of the Racing Commission insofar as its building program is concerned. Most of the others have begun and in some instances completed programs of improvement without being urged from the outside. Pimlico has seemed to be in a different frame of mind, and we earnestly recommend to the Racing Commission that it supply whatever impetus is needed to accomplish a complete rebuilding and a vast improvement in the physical facilities at Pimlico.

At the time this report is in preparation, indications are that by the spring of 1953 the National Production Authority will lift building restrictions on racetracks. Specifically, therefore, we make this recommendation for Pimlico:

That the Racing Commission notify Pimlico at once that detailed plans for a complete rebuilding must be submitted to the Commission not later than April 1, 1953; that the Commission approve only such plans as will make Pimlico a large, modern plant in every respect; that Pimlico engage engineers and contractors as soon as a set of plans is approved by the Racing Commission; that work be begun immediately after the spring meet of 1953 and be so planned as to be completed in time for the spring meet of 1954, with Pimlico being permitted in the fall of 1953 to run its meeting either at Bowie or Laurel.

By the end of 1952 the building fund for Pimlico should amount to between $900,000 and $1,000,000. To show its good intentions, the Pimlico management should match this sum. The balance required could then readily be financed.

Finally, we propose to the Racing Commission that Pimlico not be licensed to race after the fall of 1953, unless and until it accedes to these recommendations. If necessary as a last resort, Pimlico’s license should be transferred to another association, upon proper evidence that a suitable plant will be constructed in or closely adjacent to Baltimore City.

Half-Mile Tracks

The committee has three recommendations concerning the half-mile tracks. First, a majority of the committee proposes that the present laws whereby each half-mile track is empowered to have a total of ten days racing be amended to permit each track to have a total of twelve days racing. The reasons are similar to those for which we recommended several additional days racing at the mile tracks. Under the present arrangements, some tracks race four days the first week and six days the second week. Other tracks race five days in each week. No matter how the half-mile tracks split up their total of ten days under the present limitation, they are bound to have dark days. The dark
days may come at the very beginning, representing a lapse in racing between the previous meeting and the present one, or they may come at the rate of one day each week. In any event, the horsemen are required to keep their horses with no compensation in the form of purses. Similarly, the pari-mutuel employees will benefit from the two additional days' work.

The tracks themselves, of course, will profit from the extra few days, and the State's revenues will be increased. However, our main consideration in regard to the half-mile tracks has been the horsemen and the fact that providing the two additional days and eliminating the dark days will attract better stables and better horses to the half-mile tracks.

Secondly, we propose that the laws be amended to remove the authorization for ten days to be allotted to the Pocomoke track. They have never been sought, and the mention of this track in the laws is confusing when computing the total number of days of racing.

Next, for the half-mile tracks, we propose that provision be made for a Racing Fund for the building of improvements. Our suggestion is that the same provision be made for the half-mile tracks as is presently in force for the mile tracks, whereby one-half of one per cent of the money wagered at any particular track goes into the Racing Fund, to be held by the Racing Commission and disbursed by the track upon approval of the Commission for permanent improvements. We suggest also a number of qualifications to this proposal:

1. That if the money put into the Racing Fund by any track in any calendar year has not been spent or at least encumbered by the end of the next calendar year, the money shall revert to the State Treasury and shall not be used by the track.

2. That the Racing Commission be specifically empowered to approve advance expenditures from the Racing Fund. This would mean that if any track wants to undertake a major piece of construction work, such as building a new grandstand, it could spend its own money, with the promise from the Racing Commission of being reimbursed from the receipts of the Racing Fund over the next year or perhaps as long as several years.

3. That if any track should be closed for any reason and racing permanently discontinued at that track, no such advances from the Racing Fund should be paid out either to or on behalf of that track. Instead, all such monies should revert to the State.

Finally, as to the half-mile tracks, we recommend strongly to the Racing Commission that it undertake the same sort of program as we have proposed for the mile tracks, leading toward a continuous program of improvement in their physical plants and facilities. Hagerstown has taken the lead in such a program, and we commend this track for its excellent results. Timonium has shown a disposition to go ahead without prodding in order to accomplish necessary improvements. Marlboro has done some
work with the aid of a little persuasion by the Commission. The Bel Air track so far as we can discover has shown very little initiative in planning any permanent improvements. Some of the conditions which this committee discovered to exist on the backstretch of Bel Air, for example, are best described as being disgraceful. We criticise the Bel Air track for allowing them to exist and criticise also the Racing Commission for not insisting that Bel Air clean its own house. Conditions in the physical facilities and in the program for improvement at the Cumberland track are far from satisfactory. This track, we recognize, presents a special problem because of economic conditions in that area of Western Maryland.

More specifically, we propose that the Racing Commission make it very clear to the half-mile tracks that in order to have the extra days of racing allotted to them, and in order to retain their present allotments, they must definitely go on record with the Racing Commission with plans necessary to provide proper facilities for customers, horsemen, jockeys and mutuel clerks. Bel Air should be required to improve the disgraceful conditions on its backstretch; Cumberland should be required to present plans for an over-all reconstruction; Timonium should be required to erect a new grandstand.

Harness Tracks

The Committee has only a few recommendations to make concerning the harness tracks, the first of which concerns the present formula for racing days. At the present time, each harness track gets 20 days of racing, within a season of 23 days in order to allow for the possibility of up to three rainy days. A majority of the committee proposes that the 3-day rain provision be cut out and that each harness track be given 24 days each year. The tracks then could arrange their race meets as four 6-day weeks. Dark days between meets could be eliminated, with the resulting advantages already mentioned to the horsemen and pari-mutuel employees. In a normal summer season there would be a sufficient number of rainy days that there might be little if any over-all increase in the number of actual racing days at the harness tracks.

We make the same general recommendation to the Racing Commission as to the physical plants of the harness tracks that we have made with the mile tracks and the half-mile tracks. That is, we suggest strongly to the Racing Commission that it keep a continuing search for possibilities for improvement and for reconstruction at the several harness tracks. These tracks are all new, so that this group of tracks presents in this respect perhaps the easiest problem of all the groups of Maryland tracks. Baltimore Raceway has a particularly fine plant. Laurel Raceway and Rosecroft also are good plants, and both have shown a continuing disposition to make improvements. Ocean Downs is a smaller plant, built on a somewhat less ambitious scale than the other three. This track, of course, is far from the
centers of population and in relying mainly upon summer vacation crowds it presents a special problem.

We suggest to the harness tracks that by increasing their purses they could secure a better grade of horses. The harness tracks should eliminate the entrance fee for overnight purses, and provide purses equal to about 3% of the total mutuel handle.

**General Suggestions**

In addition to the specific recommendations made above, applying directly and immediately to the Racing Commission or to one of the several types of tracks, the special committee to investigate racing has a number of general suggestions. These suggestions cut generally across the conduct of racing in this State, affecting the Racing Commission and also most or all of the tracks.

We make first the general and very important recommendation that the Racing Commission take a firm stand in guiding and controlling racing in this State. We suggest to the Racing Commission that a license for any track may be disapproved if the track refuses to conduct its racing meets properly or if the track refuses to make the improvements and renovations necessary to place and to keep racing in Maryland on a high plane.

We propose that the racing laws be amended to make it unlawful for any one person or any one associated group of interests to own in excess of ten per cent. of the outstanding stock of more than one licensed track. In addition, we propose that the laws be amended so that no person may serve as a director of more than one track in Maryland. Some confusion has resulted in Maryland from the fact of multiple ownership and interlocking directorates. We believe public policy demands that the tracks be kept without question on a separate and strictly competitive basis.

We recommend that the laws be amended so that the chief steward be paid by the State, the track steward be paid by the racing association, and the third steward be paid one-half by the track and one-half by the State. Along this line, we suggest also that all employees recommended by the Racing Commission be paid by and placed under the complete supervision of the commission, and that a chief inspector be appointed on a full-time basis, and that he and all other inspectors be thoroughly qualified horsemen. Also, all mutuel auditors and inspectors, as well as the patrol judges and the State Veterinarian, should be paid from State funds. Revenues from the longer racing season will more than meet the extra expenditures put upon the State.

The Chief Inspector should be familiar with all phases of racing and have the authority necessary to handle his duties competently. He should report to the track at least four hours before the first race and leave not sooner than one-half hour after the last race. The other inspectors should come under his supervision and also be available during the same hours. Likewise,
the track veterinarian should be under the Chief Inspector and should report to him each morning as to what horses are available and in condition to race. The Chief Inspector should report promptly to the Racing Commission any unsanitary or otherwise unsatisfactory conditions of the facilities for customers and horsemen. The Chief Inspector should require, when possible, that any horses which are unable to race, for any reason, should be kept at some location other than at the track where the racing meeting is in progress, in order to free the facilities of these tracks for horses that are fit and qualified.

The Racing Commission should be required to decide the racing schedules and allot the days for any calendar year not later than the first of October in the preceding year. The tracks need a long time to make adequate plans for their meets and purses and should be given this assistance.

We do not have much to recommend by way of specific allotment of racing days. As for the mile tracks, the Bowie and Laurel tracks have each expressed themselves as being willing to run their entire meet as one unit. This, we think, would be a good plan, with one track running in the spring and the other in the fall. Pimlico prefers to keep a split meet, so that it could continue as now to run part of its days in the spring and part in the fall. This would insure, for one thing, the continuation of the famous Preakness and Futurity. From the standpoint of efficient racing, we certainly recommend that no track be given any racing dates which would extend beyond the first of December. Also, in justice to Timonium, we suggest that it always be allotted racing days which will coincide with the operation of the Fair. Similarly, as to Ocean Downs, we suggest that it continue to be allotted racing days which will fit in well with the vacation season upon which it primarily depends.

In order to avoid the possibility of strikes during the operation of the racing meet, we recommend that each racing association should definitely agree prior to the first of each year on the employment basis for mutuel operators and other employees. We recommend further that these agreements be subject to the ratification of the Racing Commission.

More and closer supervision should be exercised by the Racing Commission over the help employed by horsemen and also the mutuel clerks at the several tracks, and some system of identification and licensing should be worked out.

Similarly, the tracks should be encouraged to be more careful in passing out badges, in order to forestall the presence of touts and other undesirables. Strict supervision over the paddocks would keep these individuals from attempting to secure information to peddle.

The Commission should discuss the free and service charge pass system with the various racing associations, looking toward the possibility of the elimination of all passes except for horsemen and their employees.
One general recommendation of the committee concerns the frequency with which horses entered in races in Maryland are obviously hopelessly outclassed. To the committee this is unfair to the sport and also to the bettors. Our suggestion is that by administrative action the Racing Commission bar from Maryland tracks any horse five or more years old which has raced ten times or more within the two years next preceding without at least one time placing either first, second or third.

This committee has been asked also to make a recommendation concerning off-track pari-mutuel betting. This subject was considered by the Legislative Council in the fall of 1951, pursuant to a resolution adopted by the House of Delegates at the regular session of 1951. At that time, a committee of the Legislative Council brought in an unfavorable report on a proposal to adopt the principle of off-track pari-mutuel betting for Baltimore City. Subsequently, at the 1952 session of the General Assembly, the request to study this subject was renewed and again referred to the Legislative Council. A committee of the Council, in turn, referred it to this special committee, with the request that a report be made also on this subject. Our recommendation is that off-track pari-mutuel betting should not be permitted in this State. There are adequate days and adequate opportunities for those in Maryland who want to enjoy the sport of racing and want to participate in the pari-mutuel betting. We believe that the pari-mutuel system should continue to be channellized within its present limits and not spread indiscriminately throughout the community. As requested, we have already made this report to the Budget and Finance Committee of the Legislative Council.

Postscript

The special committee to investigate racing believes that the very fact of its appointment and working has served to stiffen the attitude of the Racing Commission and to fortify those who genuinely want to improve racing in Maryland.

We believe that the recommendations and suggestions made by this committee, if followed and adhered to, will make a marked improvement in the quality of racing in this State. It is our final hope that those responsible for the future administration of racing in Maryland will strive strenuously to improve it and then to keep it on a high level.

Respectfully submitted,

Larkin H. Birmingham,
Presley D. Bowen,
Bruce S. Campbell,
E. Taylor Chewning,
Carle A. Jackson,
Guy Johnson,
R. Bruce Livie,
A. Herman Siskind,
C. Ferdinand Sybert, Chairman
APPENDIX

REPORT ON INVESTIGATION OF FACILITIES
OF ALL RACE TRACKS IN THE STATE OF MARYLAND
MADE BEFORE
THE LEGISLATIVE COUNCIL'S COMMITTEE
TO STUDY RACING IN MARYLAND
AUGUST 19, 1952

HARRY L. THOMPSON
Investigator

BOWIE—ONE MILE TRACK

Customers’ Facilities:
New Facilities will accommodate from 30,000 to 35,000 people.

Largest Day Fall Meet 1951—18,027
Average Day Fall Meet 1951—10,510

Seating Capacity:

<table>
<thead>
<tr>
<th>Club House—Box Seats</th>
<th>Seats</th>
<th>Grandstand—Box Seats</th>
<th>Seats</th>
<th>Benches, in front</th>
<th>Bleacher Stand</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>240</td>
<td>1,000</td>
<td>744</td>
<td>6,500</td>
<td>1,500</td>
<td>600</td>
</tr>
</tbody>
</table>

Total .................................................. 10,584

Parking facilities: 9,000 cars—over 35 paved acres.

Transportation: Automobiles; chartered buses (as high as 56 in one day); Pennsylvania Railroad Trains from Baltimore, Washington, and Philadelphia. On largest day of 1951 Fall Meet the attendance was 18,027 of which 12,594 came by autos, 3,264 by train and 2,189 by bus.

Betting Facilities:

<table>
<thead>
<tr>
<th>Club House—Main Line</th>
<th>Mezzanine</th>
<th>Grandstand—Main Line</th>
<th>Mezzanine</th>
<th>(New)—Annex</th>
<th>Paddock Area (Proposed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sellers</td>
<td>Cashiers</td>
<td>Sellers</td>
<td>Cashiers</td>
<td>Sellers</td>
<td>Cashiers</td>
</tr>
<tr>
<td>23</td>
<td>14</td>
<td>13</td>
<td>11</td>
<td>56</td>
<td>48</td>
</tr>
<tr>
<td>13</td>
<td>11</td>
<td>36</td>
<td>38</td>
<td>38</td>
<td>25</td>
</tr>
<tr>
<td>36</td>
<td>38</td>
<td>38</td>
<td>25</td>
<td>20</td>
<td>12</td>
</tr>
</tbody>
</table>

Total .................. 186 148

Toilet Facilities:

<table>
<thead>
<tr>
<th>Club House—Men</th>
<th>Women</th>
<th>Seats</th>
<th>Urinals</th>
<th>Wash Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>14</td>
<td>12</td>
<td>6</td>
<td>12</td>
</tr>
</tbody>
</table>

Plus Facilities in administration building.

Grandstand:

<table>
<thead>
<tr>
<th>Main Line—Men</th>
<th>Women</th>
<th>16</th>
<th>60</th>
<th>4</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mezzanine—Men</td>
<td>Women</td>
<td>8</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>8</td>
<td>10</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>White — Women</td>
<td>Women</td>
<td>16</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colored — Women</td>
<td>Women</td>
<td>8</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

Barber Shop—Will now be located in restaurant and recreation building in back of back stretch.

First Aid Room—Modern and with 3 beds plus other facilities 1 doctor and 1 nurse in attendance during races.
Tote Boards: New and latest model board will be erected in center field and will have everything in the way of information for the bettor. New double faced odds board is being erected in middle of grandstand betting ring. No change in Club House Board.

Dining Facilities:
Club House—Served by Stevens — seats 300 but will be supplemented by 50 seats around new bar.
Grandstand—Present dining room is being changed to a hot lunch stand with 70 seats.

Concessions: Main line—8; mezzanine—6.

Bars:—Club House—the old bar is being made into a ladies rest room for Grandstand; new bar will be located in former lounge opposite dining room.
Grandstand—Main line 2, mezzanine 2

Mutuel Clerks Toilet Facilities—adequate

Jockey Quarters: In excellent condition, consist of locker room, recreation room, hot lunch counter, steam room, massage room, color room, wash room and also 4 bunk beds, drinking fountain and toilet facilities of 8 showers, 3 urinals, 4 seats and 2 wash basins.

Stable Facilities:
Number of Barns—28
Number of Stalls—1168
Number of Horses—1050 average

Sleeping Quarters: Bunk houses and quarters over some barns—see blue print attached.

Kitchen: New building in back of back stretch and includes recreation room and toilet facilities. Building measures 155' x 49'. See blue print attached.

Fire Prevention: Fire hoses—17; fire alarm boxes—8; area is patrolled.

Water—cold, is available each side of each barn; hot, is available just about every section of barn area from boiler rooms, shower rooms, etc.

Toilet Facilities: there will be adequate showers, seats, urinals and wash basins as soon as bunk houses (see blue print) are completed.

Comments: Under new management this track is really showing progress. The many changes and improvements as shown on attached blue prints indicate that we will have a track of which we may be proud. A number of these improvements have already been incorporated in this report so I'll only point out the other changes at this time.

1. Widening of track from 50' to 65'
2. Building a new 7/8 chute
3. Re-locating paddock and making it a saddling enclosure in back of Grandstand. The horses are then led out into the infield to a walking ring in front of tote board. Jockeys will come from their quarters in second floor of Administration Building across a bridge to infield and then walk to ring. Trainers must saddle horses and walk around to ring in order to give jockeys their instructions. Also there is a time element involved.
4. Erecting new barns.

References to blue prints, pictures and diagrams are to documents filed with the original copy of this report.
5. Erecting new bunk houses, making additions to old ones and adding new quarters over some barns.
6. Constructing new roads thru area to relieve congestion.
7. Hard-topping parking area and increasing same
8. Installation of ramps instead of steps where possible.
9. Erecting an annex to Grandstand with all accommodations.
10. Raising angle of mall so customers can watch races.
11. Old paddock area will now have mutuel windows on that side closest to track, which will increase club house betting facilities. This will eventually become a whole new Club House.

Recommendations: Naturally everything can't be done at once and therefore my few recommendations have already been considered by the track management. They are the replacing of barns 10, 11, 13, 15, 17 and 19 with new ones, and secondly—the increasing of men's toilet facilities in club house.

LAUREL—ONE MILE TRACK

Customers' Facilities:
Capacity of Plant 30,000
Largest Attendance spring meet of 1952 25,086
Average Attendance spring meet of 1952 12,813

Seating capacity:
Club House and Grandstand 9,000
Benches 2,000
Total 11,000

Parking Facilities:
Present 7,000
Ready for fall 1952 meet 1,500
8,500

Since 1/5 of average daily attendance arrive by trains and buses and the average number of people per car is 2.5 the parking facilities are adequate.

Transportation: automobiles, trains and chartered buses.

Betting Facilities:
<table>
<thead>
<tr>
<th></th>
<th>Sellers</th>
<th>Cashiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House—Main Line</td>
<td>20</td>
<td>17</td>
</tr>
<tr>
<td>Mezzanine</td>
<td>15</td>
<td>11</td>
</tr>
<tr>
<td>Grandstand—Main Line</td>
<td>68</td>
<td>60</td>
</tr>
<tr>
<td>Mezzanine</td>
<td>45</td>
<td>35</td>
</tr>
<tr>
<td>Paddock Area</td>
<td>14</td>
<td>10</td>
</tr>
<tr>
<td>Total</td>
<td>160</td>
<td>133</td>
</tr>
</tbody>
</table>

Standing area to left of Grandstand to be increased by 200 ft. and an addition of forty windows will be made

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Grand Total</td>
<td>180</td>
<td>151</td>
</tr>
</tbody>
</table>

Toilet Facilities:
<table>
<thead>
<tr>
<th></th>
<th>Seats</th>
<th>Urinals</th>
<th>Wash</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House—Men</td>
<td>8</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>Women</td>
<td>9</td>
<td></td>
<td>5</td>
</tr>
<tr>
<td>Barber Shop—2 chairs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Seats</td>
<td>Urinals</td>
<td>Basins</td>
</tr>
<tr>
<td>----------------------</td>
<td>-------</td>
<td>---------</td>
<td>--------</td>
</tr>
<tr>
<td>Grandstand: Main Line</td>
<td>82</td>
<td>43</td>
<td>12</td>
</tr>
<tr>
<td>Mezzanine</td>
<td>20</td>
<td>30</td>
<td>8</td>
</tr>
<tr>
<td>Women</td>
<td>16</td>
<td></td>
<td>9</td>
</tr>
<tr>
<td>Drinking Fountains:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Club House—Main Line</td>
<td>8</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Mezzanine</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Paddock Area—Main Line</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concession Stands—Club House 1; Grandstand—Main Line 6</td>
<td>4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mezzanine 2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>First Aid Room—In administration Building, has doctor in attendance and facilities are adequate.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dining Room Facilities: Served by Stevens</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Club House—seats 500</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grandstand—dining room—seats 90</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hot lunch counter—seats 50</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bars—club house 1; grandstand—main line 2, mezzanine 2.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mutuel Clerks' Toilet Facilities:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Club House—must go downstairs and use customers'.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Police &amp; Admission Department</th>
<th>Seats</th>
<th>Urinals</th>
<th>Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>3</td>
<td>2</td>
</tr>
</tbody>
</table>

| Jockey Quarters—On second floor of administration building and consists of a locker room, recreation room including a TV set, steam room, massage room, color room, and toilet facilities of 9 showers, 4 seats, 6 urinals, 2 wash basins and 2 wash tubs, in good condition. |

<table>
<thead>
<tr>
<th>Stable Facilities:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Barns</td>
</tr>
<tr>
<td>Number of Stalls</td>
</tr>
<tr>
<td>Number of horses</td>
</tr>
</tbody>
</table>

| Sleeping Quarters—Up until now tack rooms, however they will have ready for the fall meet 9 new sleeping quarters (see Diagram attached). Each quarter has 4 sleeping rooms—2 men to a room and toilet facilities with showers and hot and cold water. |

| Kitchen—One near half-mile pole has 100 seats while the other one located in front of barns A & B has 50 seats. Both independently operated but under track supervision as to quality and prices. Will be open from now on at least 10 days before meet starts. |

| Fire Prevention: Fire Hydrants—19 with hose; fire alarm boxes—3 to Laurel Fire Department; Fire Extinguishers—one on each end of each barn. |
| Water—cold on each side of each barn hot—available in showers, and boiler rooms thru out area, also hot plates. |
| Electric Wiring—separate lines for lights and for outlets with circuit breakers or every barn instead of fuses so that line can't be overloaded. |

<table>
<thead>
<tr>
<th>Recreation Facilities for Stable Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Movies—Monday, Wednesdays and Fridays</td>
</tr>
<tr>
<td>Night Volley ball under lights—Tuesdays and Thursdays</td>
</tr>
<tr>
<td>Soft Ball Game—Sunday afternoon</td>
</tr>
</tbody>
</table>
Toilet Facilities—in addition to those being erected in the 9 block-houses there are a number of chemical toilets thru out the area (see Diagram attached). Parking facilities for horsemen will be more than adequate. Drainage around barns is good. Barns—see condition rating on diagram attached.

Comments: This is a mile track showing real progressiveness and its management deserves credit for their continuing efforts. I am outlining below the improvements which will be ready for the 1952 fall meet.

1. Removal of jumping fences in infield and installing a new turf course.
2. Removal of old barns A, B, C, D, E and F to right of administration building and this space will now be used for parking customers' cars with a special space for owners and trainers.
3. Removal of steps in grandstand leading from seats to mezzanine and the installation of ramps.
4. Increasing standing area to left of grandstand.
5. Installing additional mutuel windows for this area.
6. Removal of old barns 8, 9 and 10 and the erection of new barns A, B, C and D.
7. The erecting of new sleeping quarters at both ends of barns 19, 20 and 21 and on one end of barns 25, 26 and 27. These quarters have 4 rooms sleeping 2 men to a room, center room has shower and toilet facilities.

Their far seeing plans call for the erection of a new club house where the present paddock stands and the new paddock will go in front of the present club house. Also the present club house will be incorporated into and become a part of the Grandstand. These plans depend on when the steel becomes available.

Recommendations: Outside of the management continuing their good work particularly the adding of the new sleeping quarters on the ends of all barns, I can make only two recommendations—the removal of barns 11, 12, 13 and 15 with new barns in their places; and the construction of an additional underpass to facilitate entrance to and exit from the track from the Howard County parking area.

PIMLICO—ONE MILE TRACK

Customers' Facilities:
Capacity of Plant—30,000
Largest Day of 1952 Spring Meet—31,000
Average Daily attendance of 1952 Spring Meet—12,748

Seating Capacity:
Club House and Grandstand Seats......................... 7300
Benches (Generally only used for Preakness)........ 2400

Parking Facilities: Club House 600; area back of Grandstand—300; two lots on Rogers Avenue—100 and on Old Pimlico Road lot—1400. Total—2400 autos.

Transportation: autos, taxis, buses, chartered buses

Betting Facilities:  

<table>
<thead>
<tr>
<th></th>
<th>Sellers</th>
<th>Cashiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House—Old</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Little—Main Line</td>
<td>13</td>
<td>7</td>
</tr>
<tr>
<td>Mezzanine</td>
<td>18</td>
<td>16</td>
</tr>
<tr>
<td>Paddock Area</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Grandstand</td>
<td>106</td>
<td>90</td>
</tr>
<tr>
<td>Infield</td>
<td>16</td>
<td>10</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>161</strong></td>
<td><strong>129</strong></td>
</tr>
</tbody>
</table>
Toilet Facilities:  

<table>
<thead>
<tr>
<th>Facility</th>
<th>Seats</th>
<th>Urinals</th>
<th>Wash Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House—Old—Men</td>
<td>3</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Women</td>
<td>6</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Little—Men</td>
<td>4</td>
<td>18</td>
<td>4</td>
</tr>
<tr>
<td>Women</td>
<td>13</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Grandstand—Men</td>
<td>26</td>
<td>46</td>
<td>9</td>
</tr>
<tr>
<td>Women</td>
<td>45</td>
<td></td>
<td>15</td>
</tr>
<tr>
<td>Paddock Area—Men</td>
<td>2</td>
<td>4</td>
<td></td>
</tr>
</tbody>
</table>

First Aid Room—in back of administration building and has adequate facilities.

Drinking Fountains: Club House—old—0; Little—0; Grandstand—8; Paddock Area—1.

Dining Rooms—Club House—old 300; Little 150

Grandstand — hot lunch counter — 80 seats. Served by Stevens

Concessions: Club House, old—1 bar

Little—1 bar; 1 counter

Grandstand—13 stands; 2 bars

Mutuel Clerks’ toilet facilities: adequate in all lines, except little Club House main line where they use customers’.

Jockey Quarters: In rather poor condition—consists of locker room, recreation room with a TV set; steam room; massage room; scale and color room; hot lunch counter; and toilet facilities consisting of 3 showers, 3 seats, 3 urinals and 4 wash basins.

Stable Facilities:

Number of Barns—31

Number of Stalls—1108

Number of Horses—950 average plus approximately 20 vanned per day

Sleeping Quarters: Tack rooms and bunk houses over ends of most barns. There is a local restriction which prohibits the use of these bunk houses along Rogers Avenue side.

Kitchen—served by Frenchy Boido and has 36 seats for whites and 25 seats for colored. Under management supervision as to quality and price.

Fire Prevention: Fire alarms—3; fire hydrants—5; fire extinguishers—2 to each barn; there is an automatic sprinkler system in administration building; little Club House, grandstand and Paddock which has 14 valve points and is checked twice every 24 hours for pressure.

Toilet Facilities

<table>
<thead>
<tr>
<th>Facility</th>
<th>Showers</th>
<th>Seats</th>
<th>Urinals</th>
<th>Wash Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Left Barn S—White</td>
<td>6</td>
<td>7</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Colored</td>
<td>6</td>
<td>7</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Front Barn R—White</td>
<td>5</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colored</td>
<td>5</td>
<td>6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Front Barn E—White</td>
<td>4</td>
<td>5</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Colored</td>
<td>4</td>
<td>5</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>To right of Barn D</td>
<td>7</td>
<td>3</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>To right of Barn K</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Front Barn A</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>1</td>
</tr>
</tbody>
</table>

These Facilities need cleaning and policed to keep them that way.

Barns—For condition see diagram attached.

Electric Wiring—old fuse system, except Barn M.
Water—cold—each side of each barn.
       hot—boiler rooms, shower rooms throughout barn area
       plus hot plates.
Blacksmith Shops—3 in front of Barn CC
       3 in back of Barn G.
Roads thru area are paved but need some repairs.
Drainage is good.

Comments: Pimlico Race Track is distinctive in that its problems
are many and at this moment unanswerable. The improvements
as outlined on attached map are extensive and if event-
ually developed we would have one of the finest race tracks in
the East. I would like to list the contemplated improvements
as given to me by Dave Woods, Secretary.
1. Barn A and Shed Row B will be torn down and a new
   barn along back stretch will take their place.
2. New entrance and separate parking space for members
   of Maryland Jockey Club.
3. In old Club House the present dining porch will be ex-
   tended the full length of the club house and will be glass
   enclosed. An additional porch will be erected between
   present porch and ground and extended full length of
   Club House but will not be enclosed.
4. Present kitchen will be moved behind present mutuel
   windows thus eliminating waiters running near customers
   with large trays.
5. Mutuel area will then be where the kitchen was, and of
   adequate size.
6. Present paddock area to be moved to the back of Little
   Club House. They will have a saddling enclosure with a
   walking ring in front.
7. New and completely modern pavillion, housing both a new
   club house and a new grandstand. Incidentally when this
   is built they still intend to keep the old club house for
   membership and tradition.
8. Two new odds boards right over sellers' windows in
   present grandstand.
10. New and modern tote board in infield.
11. Back-stretch to be landscaped to hide barns.
12. Parking area to East of Old Pimlico Road to be converted
    into a new barn area at which time all of the barns located
    back of the Little Club House and Grandstand will be
    removed and this area would then be used for parking.
    The new Parking area will then be landscaped for benefit
    of surrounding properties.

Recommendations: Most any of the proposed improvements would
be welcomed, and I would like to make a few additional ones.
1. Increase betting area in Little Club House if at all possible,
   also Old Club House just as soon as possible.
2. Improve Old Club House entrances as soon as possible
   so that customers don’t have to remain out in rain while
   waiting to get in.
3. Completely hard-top parking areas
5. Rebuild Barns B, D, D and O.
6. Have toilet facilities in barn area kept in constant clean-
   lines.
7. Paint all barns with but few exceptions.
8. Erect bunk houses in new barn area and backstretch.
9. Install new electrical wiring system using two lines with
   circuit breakers.
10. Install new tote board in infield just as soon as possible.
Customers' Facilities:
Capacity of Plant—15,000
Largest attendance of 1951—8,519
Average attendance of 1951—5,300

Seating Capacity
- Club House—Terraced Dining Room ................. 800
- Patio in front of Dining Room ........... 100
- Benches .................................................. 300
- Grandstand—Box Seats ................................ 538
- Stationary Seats ..................................... 5000
- Benches on Mall ...................................... 300

Total .......................................................... 7038

Parking facilities—4000 cars plus undeveloped parking space that has not been surfaced.
Transportation—Automobiles, chartered buses, and a special train from Washington which averaged 350 passengers in 1951.

Betting Facilities:
- Club House .............................................. 17 16
- Grandstand—Main Line ......................... 25 21
- Mezzanine ............................................. 25 21

Total .......................................................... 67 58

Adequate space for bettors

Toilet facilities:
- Club House—Men  ......................... 6 7 9
- Women ............................................. 7 6
- Grandstand—Main Line—Men—White ...... 4 25 4
- Colored ............................................. 2 20 2
- Women—White ..................... 9 7 4
- Colored ............................................. 6 4
- Mezzanine—Men—White ..................... 4 40 4
- Colored ............................................. 2 2 2
- Women—White ..................... 12 8 3
- Colored ............................................. 3 3

First Aid Room—In administration building, doctor and nurse in attendance; 2 beds.
Drinking fountains—Club House—2
- Grandstand—Main Line—2; Mezzanine—2
Concession stands—Club House—1 bar and 1 cigar stand
- Grandstand—Main Line—6 stands and 2 bars
- Mezzanine—1 long counter divided into bays

Dining Room—Terraced with seating capacity of 800 and served by Stevens

Mutuel Clerks’ Toilet Facilities—Adequate toilet facilities in Club House and Grandstand Main Line. Grandstand Mezzanine clerks use public toilets on same floor or go down inside stairway to main line clerks’ toilets. They are policed in any event.

Stable Facilities
- Number of barns—15
- Number of stalls—570
- Number of horses—540 average
- Sleeping quarters—Tack rooms only
- Kitchen and cafeteria—Seats 75 at one time and is served by Stevens.
Fire prevention—Fire hydrants without hose and without enough pressure—7 in stable area; 1 in paddock and 3 in Club House and Grandstand area. Fire call boxes—0. Watch clock stations—7; fire extinguishers—4 on each barn.

Water—Cold water each side of each barn

Electric wiring—Completing the installation of an extra 110 volt line for appliances and hot plates. Old fuse system.

<table>
<thead>
<tr>
<th>Toilet facilities:</th>
<th>Showers</th>
<th>Seats</th>
<th>Urinals</th>
<th>Wash Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toilet No. 1—Men</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Women</td>
<td>2</td>
<td>2</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Toilet No. 2—Men</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Women</td>
<td>1</td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Toilet No. 3—Men</td>
<td>4</td>
<td>2</td>
<td>3</td>
<td>2</td>
</tr>
</tbody>
</table>

Parking facilities for horsemen are adequate.

Drainage around stable area is poor.

Barns are in good shape.

Comments and Recommendations: This is a modern plant and facilities appear to be adequate. I might suggest better drainage conditions in stable area, a pumping station for fire hydrants and the erection of bunk houses.

LAUREL RACEWAY—HARNESS RACING

Customers' Facilities:
Capacity of Plant—14,000
Largest attendance of 1952 Meet—10,168
Average attendance of 1952 Meet—6,687

Seating Capacity:
Club House—Box Seats 168
Terraced Dining Room 650
Benches 600
Grandstand—Box Seats 256
Regular Seats 3200
Miscellaneous Benches on Mall 960

Total 5734

Parking Facilities—3,000

Transportation: Automobiles and chartered buses from Baltimore and Washington.

Betting Facilities:

<table>
<thead>
<tr>
<th>Sellers</th>
<th>Cashiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House 13</td>
<td>13</td>
</tr>
<tr>
<td>Grandstand—Main Line 57</td>
<td>48</td>
</tr>
<tr>
<td>Mezzanine 14</td>
<td>11</td>
</tr>
<tr>
<td>Total 84</td>
<td>72</td>
</tr>
</tbody>
</table>

Adequate space for bettors

Toilet Facilities:

<table>
<thead>
<tr>
<th>Seats</th>
<th>Urinals</th>
<th>Wash Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House—Men 4</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Women 5</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Grandstand Main Line—Men 7</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Women 8</td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Mezzanine—Men 4</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Women 4</td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

First Aid Room—In paddock area, adequate facilities, doctor in attendance during races.
Drinking Fountains—0
Concessions—Club House — 1 bar, 1 milk bar, 1 cigarette counter
Grandstand—Main Line—6; Mezzanine—8
Dining Room—Served by Trulis Catering Company
Club House—Terraced and seats 650 people

Mutuel Clerks' Facilities
Toilet facilities: Club House—1 seat and 1 wash basin
Grandstand—2 seats, 2 urinals, 2 wash basins

Stable Facilities:
Number of barns—23
Number of stalls—740
Number of horses—700 average
Sleeping quarters—1 bunk house but stable hands prefer tack rooms—to be near their horses, it is claimed.
Kitchen—Has accommodations for 180 people at one time. This track has one of best set-ups for taking care of the stable hands. Connected to the kitchen and restaurant is a large recreation room and toilet facilities.

Fire prevention—Fire hydrants with 50 foot hose—8; fire alarms—0; fire extinguishers—230 throughout barn area; phones throughout area; area is patrolled and in case of fire the Savage Fire Department is called.
Water—cold water each side of each barn
Electric wiring—Two sets of wiring one for lighting and one carrying 220 volts to be used for appliances and heating plates.

Toilet facilities: 16 seats; 5 urinals; 13 wash basins and 12 showers.
Parking facilities for horsemen are adequate.
Drainage around barns is acceptable.
Barns are only several years old and consequently are in good shape. Have overhead ventilation.

Comments and Recommendations: While this track is one of the oldest trotting tracks in Maryland, it has kept progress by adding a club house, kitchen and recreation building, a ½ mile training track and a number of new stables and all facilities appear to be adequate. The construction of the buildings does not compare favorably with those at other trotting tracks in this state. My recommendations are that additional bunk houses be made available if the stable hands will use them. I might also add that the food in the dining room does not compare with that served at other tracks.

OCEAN DOWNS—HARNESS RACING

Customers' Facilities:
Capacity of Plant—15,000
Largest attendance 1951 Meet—10,000
Average attendance 1951 Meet—5,200
Seating capacity—Stationary seats ....................................2,500
- Benches ..............................................1,500

Total ..................................................4,000

Parking Facilities—6,000 automobiles
Transportation—Autos and buses from Ocean City
Betting Facilities:

<table>
<thead>
<tr>
<th></th>
<th>Sellers</th>
<th>Cashiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main Line</td>
<td>17</td>
<td>10</td>
</tr>
<tr>
<td>Mezzanine</td>
<td>42</td>
<td>42</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>59</strong></td>
<td><strong>52</strong></td>
</tr>
</tbody>
</table>

There are additional mutuel windows in building to left of Grandstand which can be readied for use on 48 hours notice.

Toilet Facilities:

<table>
<thead>
<tr>
<th></th>
<th>Seats</th>
<th>Urinals</th>
<th>Wash</th>
<th>Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>White—Men</td>
<td>8</td>
<td>20</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>—Women</td>
<td>12</td>
<td></td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Colored—Men</td>
<td>4</td>
<td>12</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>—Women</td>
<td>5</td>
<td></td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Paddock area—Men</td>
<td>2</td>
<td></td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

First Aid Room—1 doctor in attendance during races. Facilities adequate.

Drinking Fountains—Grandstand—1 electric and 1 in paddock area.

Concessions—9 stands.

Mutuel Clerks' Toilet Facilities—adequate

Stable Facilities:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of barns</td>
<td>22</td>
<td></td>
</tr>
<tr>
<td>Number of stalls</td>
<td>704</td>
<td></td>
</tr>
<tr>
<td>Number of horses</td>
<td>585</td>
<td>average</td>
</tr>
<tr>
<td>Sleeping quarters—Tack rooms</td>
<td>—4 to a barn</td>
<td></td>
</tr>
<tr>
<td>Kitchen and Cafeteria—Operated by Thomas D. Trulis, supervised by track, good meals—no income to track.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fire Prevention — Fire hydrants — 5; fire boxes — 0; fire extinguishers—2 to each barn; water tower 100,000 gallons capacity.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cold water each side of each barn.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hot water by heating plates.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Toilet Facilities

<table>
<thead>
<tr>
<th></th>
<th>Showers</th>
<th>Seats</th>
<th>Urinals</th>
<th>Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>5</td>
<td>6</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Colored</td>
<td>3</td>
<td>3</td>
<td>4</td>
<td>3</td>
</tr>
</tbody>
</table>

Located next to recreation room.

Radios and mirrors were installed in tack rooms for stable hands. Most of them stolen.

Drainage around barns good.

Blacksmith shops—5

Trailer court—All facilities including toilets and showers.

Comments and Recommendations: A modern plant but without a Club House which may be due to the closeness of Ocean City and its hotels. Tack rooms are so well kept, it doesn't seem necessary for bunk houses since most of these horsemen prefer their men close to their horses.
ROSECROFT RACEWAY—HARNESS RACING

Customers' Facilities:
Capacity of Plant—15,000
Largest attendance of 1952 Meet—12,327
Average attendance of 1952 Meet—8,200

Seating Capacity:
Club House—Terraced Dining Room .................. 500
Benches—Under Cover ............................... 375
Benches—In the Open ................................ 1000
Grandstand—Box Seats ................................ 650
Benches—Under Cover ............................... 1875
Benches—In the Open ................................ 1500

Total ................................................................... 6900

Parking Facilities—4,000 automobiles, average 2,500
Transportation—Automobiles and chartered buses.

Betting Facilities: Sellers Cashiers
Club House .................................................. 13 11
Adequate space since building a platform
Grandstand—Main Line ................................. 43 39
Mezzanine ................................................. 18 21

Total ................................................................... 74 71

Toilet Facilities:
Club House—Men ................................. 5 8 5
Women ........................................... 8 6

Grandstand:
Main Line
White—Men ................................. 10 16 13
Women ........................................... 14 10
Colored—Men ................................. 3 3 3
Women ........................................... 4 3

Mezzanine
White—Men ................................. 5 16 7
Women ........................................... 12 7
Colored—Men ................................. 3 4 3
Women ........................................... 4 3

First Aid Room—1 doctor in attendance, 4 beds and other adequate facilities.

Drinking Fountains—0
Concessions—Club House—1 bar; 1 cigar counter
Grandstand—Main Line—2 bars; 9 stands
—Mezzanine—2 stands
Dining Room—Served by Stevens and terraced.
Odds board inside of Grandstand on both Main Line and Mezzanine.

Mutuel Clerks' Toilet Facilities—Adequate

Stable Facilities:
Number of barns—25
Number of stalls—768
Number of horses—725 Average—no vanning necessary.
Sleeping Quarters—10 bunk houses sleeping 16 men each.
Kitchen—Served by Stevens and seats 200.
Fire Prevention—Fire hydrants—8; 2 telephones in barn area;
area is patrolled 24 hours a day during meets; served by
Oxen Hill Volunteer Fire Departmnt; fire extinguishers—
1 to every 10 stalls.
Water—cold—available each side of each barn.
—hot—use hot plates.
Toilet Facilities

<table>
<thead>
<tr>
<th></th>
<th>Showers</th>
<th>Seats</th>
<th>Urinals</th>
<th>Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>In Recreation Room</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men—White</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Colored</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Women—White</td>
<td>1</td>
<td>1</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Rest Room</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men—White</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Colored</td>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paddock Area</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grooms</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Drivers</td>
<td>1</td>
<td></td>
<td></td>
<td>1</td>
</tr>
</tbody>
</table>

Barns are in very good condition; stalls measure 10 ft. by 10 ft. Aluminum roofs and all have sheds.

Electric Wiring—Presently finishing installing separate lines for appliances and hot plates but not 220 volts.

Comments and Recommendations—This track has taken care to provide both customers and horsemen with just about every convenience. One important step which they have made is the installation of an auxiliary power plant which can handle exit lights and the public address system. This is an excellent precaution against panic in case of an emergency. All other trotting tracks should have this or something similar. The only recommendation that I can make is that they use new wiring carrying 220 volts or install circuit breakers so as to reduce fire hazard due to overloading of lines.

BEL AIR—HALF-MILE TRACK

Customers’ Facilities:

Capacity of Plant—12,000
Largest attendance of 1952 Meet—11,960
Average attendance of 1952 Meet—6,790

Seating Capacity—Club House—880; Grandstand—3350

Parking Facilities—Club House—256; Grandstand—2710

They have additional undeveloped parking space and there is a great deal of parking on surrounding private properties.

Transportation: In addition to automobiles, there is a special train from Washington, D. C.—Camden and Mount Royal Stations in Baltimore to Van Bibber, Maryland, where chartered buses transport the public to the track. There are also chartered bus services from Baltimore to the track.

Betting Facilities:

<table>
<thead>
<tr>
<th></th>
<th>Sellers</th>
<th>Cashiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House</td>
<td>13</td>
<td>11</td>
</tr>
<tr>
<td>Grandstand</td>
<td>44</td>
<td>36</td>
</tr>
</tbody>
</table>

Daily Double Machines—18

In the Club House the floor space for the customers in front of the windows measures only 28 feet at the shortest space and 40 feet at the longest. This causes a great deal of jamming and obstructing of cross traffic. This is particularly true before the first race in front of the Daily Double windows. The betting area in the Grandstand appears to be adequate.
Toilet Facilities:

<table>
<thead>
<tr>
<th>Location</th>
<th>Type</th>
<th>Seats</th>
<th>Urinals</th>
<th>Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House</td>
<td>Men</td>
<td>5</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Women</td>
<td>6</td>
<td></td>
<td>4</td>
</tr>
<tr>
<td>Grandstand</td>
<td>Men</td>
<td>25</td>
<td>26</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td>Women</td>
<td>14</td>
<td></td>
<td>10</td>
</tr>
<tr>
<td>Mezzanine</td>
<td>Men</td>
<td>4</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Women</td>
<td>3</td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

First Aid Room—2 doctors in attendance during races. Has 2 beds and adequate facilities.

Drinking Fountains—In Club House ladies rest rooms, there are two ice and water containers. In Grandstand there is one drinking fountain outside on the mall, and in rest rooms there are four ice and water containers.

Concessions—Club House—1 bar

Dining Facilities—Club House—approximately 400 seats

Mutuel Clerks’ Facilities:

<table>
<thead>
<tr>
<th>Location</th>
<th>Type</th>
<th>Seats</th>
<th>Wash</th>
<th>Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House</td>
<td></td>
<td>1</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Grandstand</td>
<td></td>
<td>2</td>
<td>1</td>
<td></td>
</tr>
</tbody>
</table>

Jockey Quarters—Located in rear of Grandstand and has both a first and second floor. On the first floor there is a dressing room with 22 lockers, a wash room for clothes, etc. and toilet facilities consisting of 4 showers, 4 seats, 4 urinals and 2 wash basins. On the second floor there is a recreation room and toilet facilities of 1 seat and 1 wash basin. These quarters are old and are in need of reconditioning.

Stable Facilities:

<table>
<thead>
<tr>
<th>Category</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Barns</td>
<td>16 plus shed row</td>
</tr>
<tr>
<td>Number of Stalls</td>
<td>720</td>
</tr>
<tr>
<td>Number of Horses</td>
<td>550 average</td>
</tr>
<tr>
<td>Sleeping Quarters</td>
<td>Tack rooms; also over both ends of barns</td>
</tr>
<tr>
<td></td>
<td>A and B there are sleeping rooms, dirty and ill kept.</td>
</tr>
<tr>
<td>Kitchen</td>
<td>Seats about 20 and is run by Harry Carbaugh who opens 5 to 6 days before first day of racing.</td>
</tr>
<tr>
<td>Fire Hydrants</td>
<td>5; Fire Alarm Boxes—0; Watchman patrols area during racing season only.</td>
</tr>
<tr>
<td>Cold Water</td>
<td>Each side of each barn—no hot water in bar area and when stable hands attempt to heat water with electrical hot plates, the track superintendent shuts the electricity off.</td>
</tr>
<tr>
<td>Track Condition</td>
<td>1500 loads of soil put on track since the 1952 meet.</td>
</tr>
<tr>
<td>Barns</td>
<td>Out of 16 barns, I rate 8 fair and 8 poor. Poor—meaning that they should be completely reconditioned or rebuilt. Fair—meaning that they are usable but old and need some repairs. Shed row along the back stretch is in the most deplorable condition I have seen anywhere. Most of this is being demolished and two new barns will be erected to take their place. New half-doors have been installed on most stalls. See pictures at end of this report.</td>
</tr>
<tr>
<td>Drainage</td>
<td>Poor throughout stable area.</td>
</tr>
<tr>
<td>Roads</td>
<td>Nothing but rock-strewn byways between barns</td>
</tr>
<tr>
<td>Manure Pits</td>
<td>Dilapidated wooden pits</td>
</tr>
<tr>
<td>Toilet Facilities</td>
<td>The worst you have ever seen. There are 4 outhouses (Chick Sales Type) one with six seats and the others with two seats. Old newspapers are piled in corners for toilet paper. See photo, at close of report, taken of best</td>
</tr>
</tbody>
</table>
one of these shanties. There are no showers or wash basins in the area.

Electrical Wiring—Very old and they use the old fuse system which can be a fire hazard if anyone shorts the circuit with a penny.

Comments:
Bel Air Race Track is our largest track of this kind, actually a 3/4 mile track. As far as the customer facilities are concerned, I will have a few recommendations but I do wish to direct the Committee’s attention to the conditions existing in the stable area. They are in the most deplorable condition and I most sincerely suggest that you gentlemen insist in your report that immediate steps be taken by the management of this track to correct this situation.

Recommendations:
1. Repair flooring in mezzanine of grandstand.
2. Repaint Club House and Grandstand.
3. Since the betting area in Club House is inadequate, I suggest that the front porch be incorporated in the building itself so that enough space is available even to the addition of more mutuel windows.
4. Immediate erection of bunk houses with adequate shower and toilet facilities throughout the stable area.
5. Complete the demolition of shed row, as well as the four outhouses.
6. Install hot water facilities, such as boiler rooms.
7. Have present wiring system checked and replaced where necessary. Install circuit breakers or an additional line for 220 volts.
8. Completely renovate barns rated poor, or replace with new ones.
10. Continue efforts on racing strip including the replacing of rotting and broken railings and posts.
11. Renovate jockeys’ quarters.
12. Improve roads through stable area.
13. Improve drainage through stable area.

CUMBERLAND—HALF-MILE TRACK

Customers’ Facilities:
Capacity of Plant—10,000
Largest day of 1952 Meet—6,500
Average day of 1952 Meet—4,200

Seating Capacity
Club House
Dining Room (partly terraced)............................. 250
Box Seats .................................................. 200

Grandstand
Seats (Bench type)........................................... 2100
Box Seats .................................................. 300
Bench Seats (Set up in front of stand)................. 300

Total .................................................... 3150

Parking Facilities—2500 cars
Transportation—Autos and buses from Cumberland
Betting Facilities:

<table>
<thead>
<tr>
<th></th>
<th>Sellers</th>
<th>Cashiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House</td>
<td>10</td>
<td>7</td>
</tr>
<tr>
<td>Grandstand</td>
<td>30</td>
<td>28</td>
</tr>
<tr>
<td>Paddock Area</td>
<td>12</td>
<td>6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>52</strong></td>
<td><strong>41</strong></td>
</tr>
</tbody>
</table>

Daily Double Machines 18

Toilet Facilities:

<table>
<thead>
<tr>
<th></th>
<th>Seats</th>
<th>Urinals</th>
<th>Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House—Men</td>
<td>2</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>Women</td>
<td>3</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>Grandstand—Men</td>
<td>16</td>
<td>24</td>
<td>7</td>
</tr>
<tr>
<td>Women</td>
<td>26</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

First Aid Room—doctor and 2 nurses in attendance during races. Has 4 beds.

Drinking Fountains—Grandstand 1—Outside first aid room 1
—paddock area 1

Dining Room—250 Seats (partly terraced)

No hot lunch counter for grandstand

Concessions—Grandstand—8 inside; 2 outside

Club House—1 bar

Paddock Area—6

Mutuel Clerk Toilet Facilities—0

Jockey Quarters—Locker room; sleeping room — 3 cots; toilet facilities—4 showers; 2 seats; 2 wash tubs. These quarters are in extremely poor shape.

Stable Facilities:

Number of Barns—18; Stalls—514; Horses—500 average.

Sleeping Quarters—Tack rooms only

Kitchen—Old with about 20 seats; also serves as a recreation room.

Toilet facilities—None except to right of Barn 5 and the customers' facilities

Fire Equipment—Hydrants—3; Extinguishers—46. There is a fire truck always on the grounds.

Comments and Recommendations:

This track is the worst of our half-mile tracks. While it has the nicest scenery—sitting at the foot of a mountain—there isn't one building that shouldn't be replaced. Due to its geographical location, there are practically no customers from Baltimore and Washington. There is no train or chartered bus service although there is a bus service from Cumberland. It is your investigator's opinion that due to the lack of "all-around" facilities this plant is inadequate to handle racing. In the year of 1951, the total mutuel betting was $2,121,098.00, out of which the track received $202,265.00 less purses amounting to $80,000.00, or a gross of $122,265.00 plus breakage amounting to approximately $15,909.00 plus returns from programs, concessions, admissions, etc. While I do not have their expense figures, certainly there was enough net profit that some improvement in customers' and horsemen's facilities could have been made.

HAGERSTOWN—HALF-MILE TRACK

New Club House and Grandstand Started September 1, 1950 and Completed July 28, 1951

Customers' Facilities:

Capacity of Plant—15,000

Largest Attendance of 1951 Meet—12,087

Average Attendance of 1951 Meet—6,931
Seating Capacity:

Club House—Dining Room—Terraced............. 500
Boxes ........................................ 200
Individual Seat Benches ..................... 880
Grandstand—Boxes ........................... 440
Benches ...................................... 3,200

Total ......................................... 4,720

Parking Facilities—3,500 Automobiles (Partly Paved)
Transportation—Automobiles and Chartered Buses from Baltimore and Washington

Betting Facilities:

<table>
<thead>
<tr>
<th></th>
<th>Sellers</th>
<th>Cashiers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House</td>
<td>16</td>
<td>14</td>
</tr>
<tr>
<td>Grandstand—Main Line</td>
<td>28</td>
<td>22</td>
</tr>
<tr>
<td>Mezzanine</td>
<td>22</td>
<td>18</td>
</tr>
<tr>
<td>Total</td>
<td>66</td>
<td>54</td>
</tr>
</tbody>
</table>

Daily Double Machines—18

Ample Space in front of all windows with an abundance of lights overhead.

Toilet Facilities:

<table>
<thead>
<tr>
<th></th>
<th>Seats</th>
<th>Urinals</th>
<th>Wash Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Club House—Men</td>
<td>4</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>Women</td>
<td>9</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>Grandstand—Main Line—Men—White</td>
<td>8</td>
<td>16</td>
<td>5</td>
</tr>
<tr>
<td>Colored</td>
<td>1</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Women—White</td>
<td>13</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>Colored</td>
<td>3</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Mezzanine—Men—White</td>
<td>6</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Women—White</td>
<td>10</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

First Aid Room — one doctor and two trained nurses in attendance during races.
Has three beds and adequate facilities.

Drinking fountains—two in grandstand areas, one in paddock area, none in club house

Concessions—Club House—one bar
Grandstand—Main Line 4; Mezzanine 1

Dining Facilities—Served by Stevens
Club House—500 Terraced Seats
Grandstand—Hot lunch counters with 16 seats

Mutuel Clerks’ Facilities:

Toilet Facilities

Club House—1 seat; 1 wash basin
Grandstand—Main Line—2 seats; 4 urinals; 2 wash basins
Mezzanine—none, but they use public restroom or go downstairs via inside stairway.

Jockey Quarters—Erected over paddock enclosure
Consists of—Locker room, color room, tack room, recreation room with sandwich counter.

Toilet Facilities—3 showers; 2 seats; 2 wash basins; 2 wash tubs

Stable Facilities:

Number of Barns—9
Number of Stalls—578 Plus 15 stalls for vanned horses
Number of Horses—460 average  
Sleeping Quarters—Tack rooms  
Kitchen—Cafeteria style with 20 seats  
Fire Hydrants—3  
Fire Extinguishers—0  
Telephones in barn area—0  
Area is patrolled 24 hours per day during race meet  
Cold water at each end of each barn  

Toilet Facilities:  
1. In back of the back stretch and over the hill there are five concrete barns — only one has toilet facilities—4 showers—4 seats—2 wash basins  
2. Old receiving barn has the following:  
   Men—2 seats—2 urinals—2 wash basins  
   Women—2 seats—2 urinals—2 wash basins  
3. The Judging Arena or Show Hall has the following:  
   Men—4 seats—6 urinals—3 wash basins  
   Women—8 seats—3 wash basins  
4. Alongside of the trailer park there are toilet facilities for both men and women  

Trailer Park has water and electric connections completely around its enclosure.  
Concrete manure pits to each barn  
Shed row in back of Grandstand and Club House is an open stall affair and is claimed to be in demand due to coolness during summer meet.  
Shed row to right of paddock has closed stalls.  
Transit barns have 15 stalls which are used for horses vanned into the track each day.  

Comments—While this is only a half-mile track, it is one of the most progressive tracks in the State of Maryland. One must bear in mind that these half-mile tracks serve also as sites for fairs, circuses, national demonstrations, etc. and consequently many of their facilities are used over and over again. This is the only track in the State having Jockey Quarters directly over the paddock. Paddock is in a complete circle; thus offering a walking track around its stalls. It is your investigator's personal opinion that as improvements (see recommendations) continue, we will have here the finest half-mile track in the United States. I might add that the personnel directing this track are very competent and far-seeing.  

Recommendations:  
1. Install wooden sidings on lower part of walls in stalls of concrete barns.  
2. Drainage conditions around barn area could be improved upon.  
3. Circuit breakers instead of fuses should be installed to prevent overloading of lines by shorting fuses with pennies.  
4. Better supervision of cleanliness of all rest rooms.  
5. Complete the paving of balance of parking areas and roadways through plant.  
6. Replacing of shed row to right of paddock with new barns.  
7. Installation of modern bunk houses with toilet facilities throughout barn area.  
8. Restrict use of shed row in back of grandstand insofar as horses are concerned, even if additional barns would be necessary.
MARLBORO—HALF-MILE TRACK

Customers' Facilities:
Capacity of Plant—12,000
Largest attendance of 1951 Meet—8,849
Average attendance of 1951 Meet—5,635

Seating capacity
- Club House—Box seats: 310
- Benches: 185
- Grandstand—Stadium Type seats: 3300

Total: 3795

Parking Facilities—4,000
Transportation—Automobiles and buses from Baltimore and Washington.

Betting Facilities:
- Sellers: Club House—16, Grandstand—36, Mezzanine—19
- Cashiers: Club House—12, Grandstand—32, Mezzanine—17

Total: 71

Daily Double Machines—18

Toilet Facilities:
- Club House—Men: 3, Women: 5

First Aid Room—1 doctor in attendance during races. Has 3 beds and adequate facilities

Drinking Fountains—Club House—1; Grandstand—4

Concession Stands—Club House—1 bar, 1 hot dog stand, 1 cigar stand
- Grandstand—Main Line—3 stands; 2 bars
- Mezzanine—2 stands; 1 bar

Dining Room—Club House—has 110 seats inside and 110 seats on veranda to right of Club House
Grandstand—Hot lunch counter with 46 seats. Served by Stevens.

Mutuel Clerks' Toilet Facilities—Adequate in all lines.

Jockey Quarters—In good condition. Consists of a dressing room, recreation room, color room, steam room, 4 bunk beds, toilet facilities of 4 showers, 2 seats, 5 urinals, 2 wash basins and 2 wash trays.

Stable Facilities:
- Number of barns—8
- Number of stalls—370
- Number of horses—290 average plus an average of 37 horses vanned into the track each day.

Sleeping quarters—Tack rooms plus rooms on the end of barns A and B which are very desirable.

Kitchen facilities—Served by Carlins. Has counter with stools and is served by waiters. Carlins brings his own equipment for cooking. These facilities could stand renovating.
Fire prevention—Fire hydrants—5; fire extinguishers 40 new ones; fire truck, fully equipped which patrols area during racing period.

Toilet Facilities—Barns A and B contain 2 rooms each which provide 2 showers, 1 seat, 1 urinal, and 1 wash basin in each room. These facilities are also used by barns C, D, E and F. Barns J and K must use facilities in Cattle Barn.

Cold water available each side of each barn.

Hot water can be obtained at Barns A and B but other barns must use hot plates.

Electric Wiring—Old fuse system.

Water Tank—53,000 gallon capacity.

Comments—Since the erection of the new Club House and Grandstand the facilities for customers appear to be adequate. I understand that there are plans for an additional road into the plant which is sorely needed. There is an existing mortgage on which payments of $50,000.00 are being made annually, which leaves little to spend on improvements, so the management claims. If they would retire this mortgage over a longer period of time then improvements could be made in the stable area.

Recommendations:
1. Renovating barns C, D, E, F, J and K or rebuilding them.
2. Erecting bunk houses with adequate toilet facilities.
3. Enlarging kitchen facilities to include recreation facilities.
4. Install new wiring to include a line carrying 220 volts for appliances and hot plates.
5. Cease the using of Cattle Barn for stabling horses. Even though management claims horsemen desire these stalls due to coolness.
6. Drainage around barns poor.

TIMONIUM—HALF-MILE TRACK

Customers' Facilities:
Capacity of Plant—12,000
Largest attendance of 1951 Meet—18,922 (including infield)
Average attendance of 1951 Meet—8,410
Seating Capacity—3,500 plus 3,000 seats in infield.
Parking Facilities—5,000 cars on grounds plus private property parking on adjacent lots.
Transportation—Automobiles, chartered buses, taxi-cabs and streetcars to Towson—Buses to track.

Betting Facilities:
Including mutuel windows in infield........ 80 57

Daily Double Machines 18—Odds board inside of Grandstand.

Toilet Facilities:

<table>
<thead>
<tr>
<th></th>
<th>Seats</th>
<th>Urinals</th>
<th>Basins</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>19</td>
<td>46</td>
<td>4</td>
</tr>
<tr>
<td>Women</td>
<td>24</td>
<td>5</td>
<td></td>
</tr>
</tbody>
</table>

Plus other facilities throughout fair grounds.

First Aid Room—In administration building; 2 beds—adequate facilities

Drinking Fountains—4 under grandstand
Concessions—10 stands

Dining Room—Is located in administration building and can seat 350. Served by Stevens.

Mutuel Clerks' Toilet Facilities — Within their enclosure and adequate
Jockey Quarters—Not so good, needs reconditioning. Has locker room, reducing box, wash tubs and toilet facilities, consisting of 5 showers, 3 seats and 2 urinals.

Stable Facilities:
Number of barns—6
Number of stalls—277
Number of Horses—225 average

Sleeping Quarters—tack rooms, quarters over end of Barn A and over corners of Barn Q.
Kitchen—Most of stable hands eat around neighborhood but there is a small kitchen set up on grounds for colored help.

Fire Prevention—2 fire hydrants with hose in stable area and 1 in grandstand area; fire extinguishers each end of each barn.
Cold water each side of each barn. Hot water available if stable hands build a fire in boiler rooms—most of them prefer to use hot plates.

Toilet Facilities—Most inadequate. The entire stable area must use the toilets in back of the racing secretary’s offices, which consist of 8 urinals, 5 seats and 2 wash basins. There are no shower facilities on the grounds.

Comments—This track under new management is progressing. During the past year they have made the following improvements:
1. Repainted the grandstand.
2. Installed a new 7/8 mile chute.
3. Widened the track from 38 ft. to 50 ft.
4. Resurfaced the track.
5. Hard-topped roads through stable area.
6. Renovated tack rooms and installed stoves.
7. Renovated paddock.
8. Installed 18 daily double machines.

Recommendations:
1. Erect a modern plant to include a club house patterned along Hagerstown layout.
2. Until such time cover seat flooring underneath so that split drinks, cigarettes, etc. do not fall on people on ground floor.
3. Renovate jockey’s quarters.
4. Erect bunk houses with adequate toilet facilities including showers.
5. Erect a modern cafeteria and recreation hall.
6. Renovate Barn Q to be comparable with other barns.
7. Install separate wiring system through barns carrying 220 volts for appliances, including hot plates.
8. Install circuit breaker system instead of fuses.
<table>
<thead>
<tr>
<th></th>
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<th></th>
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<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowie</td>
<td>Spring 1950</td>
<td>12</td>
<td>$6,315,320.00</td>
<td>$224,610.00</td>
<td>$246,000.00</td>
<td>3.9</td>
<td>86,523</td>
<td>7,210</td>
<td>10,609</td>
<td>186</td>
<td>148</td>
</tr>
<tr>
<td></td>
<td>Fall 1950</td>
<td>13</td>
<td>9,452,758.00</td>
<td>727,135.00</td>
<td>288,000.00</td>
<td>3.0</td>
<td>94,327</td>
<td>7,255</td>
<td>15,095</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Spring 1951</td>
<td>12</td>
<td>7,101,433.00</td>
<td>591,788.00</td>
<td>272,500.00</td>
<td>3.8</td>
<td>96,322</td>
<td>8,026</td>
<td>12,912</td>
<td></td>
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<tr>
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<td>Fall 1951</td>
<td>13</td>
<td>12,346,746.00</td>
<td>949,749.00</td>
<td>335,000.00</td>
<td>2.6</td>
<td>136,634</td>
<td>10,530</td>
<td>18,027</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spring 1952 Combined meeting with Laurel—Received 15/33 of “take”.</td>
<td></td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Laurel</td>
<td>Spring 1950</td>
<td>12</td>
<td>8,742,581.00</td>
<td>728,548.00</td>
<td>257,000.00</td>
<td>2.9</td>
<td>137,820</td>
<td>11,485</td>
<td>20,870</td>
<td></td>
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<tr>
<td></td>
<td>Fall 1950</td>
<td>13</td>
<td>8,663,209.00</td>
<td>665,631.00</td>
<td>314,500.00</td>
<td>3.6</td>
<td>127,725</td>
<td>9,825</td>
<td>16,178</td>
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<td></td>
<td>Spring 1951</td>
<td>24</td>
<td>19,543,288.00</td>
<td>814,304.00</td>
<td>533,000.00</td>
<td>2.8</td>
<td>281,424</td>
<td>11,726</td>
<td>22,378</td>
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<td></td>
<td>Fall 1951</td>
<td>14</td>
<td>10,873,123.00</td>
<td>776,652.00</td>
<td>392,500.00</td>
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<td>152,850</td>
<td>10,925</td>
<td>17,232</td>
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<tr>
<td></td>
<td>(Combined)</td>
<td></td>
<td>33,972,586.00</td>
<td>1,029,975.00</td>
<td>888,500.00</td>
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<td>422,925</td>
<td>12,813</td>
<td>25,086</td>
<td></td>
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<tr>
<td>Pimlico</td>
<td>Spring 1950</td>
<td>21</td>
<td>15,296,694.00</td>
<td>728,414.00</td>
<td>428,000.00</td>
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<td>240,072</td>
<td>11,432</td>
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<td>13</td>
<td>11,072,087.00</td>
<td>851,699.00</td>
<td>330,000.00</td>
<td>3.6</td>
<td>136,370</td>
<td>10,490</td>
<td>17,283</td>
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<td>Spring 1951</td>
<td>19</td>
<td>14,212,462.00</td>
<td>748,024.00</td>
<td>523,500.00</td>
<td>3.6</td>
<td>207,822</td>
<td>10,958</td>
<td>24,863</td>
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<td>Fall 1951</td>
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<td>15,549,104.00</td>
<td>865,839.00</td>
<td>541,500.00</td>
<td>3.4</td>
<td>200,700</td>
<td>11,150</td>
<td>18,123</td>
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<tr>
<td></td>
<td>Spring 1952</td>
<td>15</td>
<td>14,298,031.00</td>
<td>955,202.00</td>
<td>470,500.00</td>
<td>3.2</td>
<td>191,226</td>
<td>12,748</td>
<td>31,000</td>
<td></td>
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<tr>
<td>Havre de Grace</td>
<td>Spring 1950</td>
<td>16</td>
<td>11,066,112.00</td>
<td>691,632.00</td>
<td>391,500.00</td>
<td>3.3</td>
<td>131,440</td>
<td>8,215</td>
<td></td>
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<tr>
<td>Bel Air</td>
<td>1950</td>
<td>10</td>
<td>2,890,080.00</td>
<td>289,008.00</td>
<td>84,700.00</td>
<td>2.9</td>
<td>61,240</td>
<td>6,124</td>
<td></td>
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<tr>
<td></td>
<td>1951</td>
<td>10</td>
<td>3,688,961.00</td>
<td>368,896.00</td>
<td>90,600.00</td>
<td>2.4</td>
<td>68,000</td>
<td>6,800</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1952</td>
<td>10</td>
<td>3,905,322.00</td>
<td>390,532.00</td>
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<td>67,303</td>
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<tr>
<td>Cumberland</td>
<td>1950</td>
<td>10</td>
<td>1,904,924.00</td>
<td>190,492.00</td>
<td>77,000.00</td>
<td>4.0</td>
<td>50,000</td>
<td>5,000</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1951</td>
<td>10</td>
<td>2,121,098.00</td>
<td>212,109.00</td>
<td>80,000.00</td>
<td>3.7</td>
<td>55,000</td>
<td>5,500</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>1952</td>
<td>10</td>
<td>1,889,794.00</td>
<td>188,979.00</td>
<td>80,000.00</td>
<td>4.2</td>
<td>42,000</td>
<td>4,500</td>
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<tr>
<td>Hagerstown</td>
<td>Old Plant 1950</td>
<td>10</td>
<td>1,618,610.00</td>
<td>161,841.00</td>
<td>77,000.00</td>
<td>4.7</td>
<td>50,000</td>
<td>5,000</td>
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<tr>
<td></td>
<td>New Plant 1951</td>
<td>10</td>
<td>2,896,342.00</td>
<td>289,634.00</td>
<td>80,100.00</td>
<td>2.8</td>
<td>75,000</td>
<td>7,500</td>
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<tr>
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<td>1952 (first 2 days—no Saturday)</td>
<td></td>
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<td></td>
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<td></td>
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<tr>
<td>Marlboro</td>
<td>1950</td>
<td>10</td>
<td>3,350,891.00</td>
<td>335,089.00</td>
<td>82,600.00</td>
<td>2.4</td>
<td>49,290</td>
<td>4,929</td>
<td></td>
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<tr>
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<td>1951</td>
<td>10</td>
<td>3,686,007.00</td>
<td>368,600.00</td>
<td>91,600.00</td>
<td>2.4</td>
<td>56,360</td>
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<td>Timonium</td>
<td>1950</td>
<td>10</td>
<td>2,720,430.00</td>
<td>272,043.00</td>
<td>82,300.00</td>
<td>3.0</td>
<td>74,447</td>
<td>7,444</td>
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<td>New Mgmt. 1951</td>
<td>10</td>
<td>3,573,850.00</td>
<td>357,385.00</td>
<td>84,300.00</td>
<td>2.3</td>
<td>84,092</td>
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### DISTRIBUTION OF "TAKE" FROM MUTUELS

**Mile Tracks**

- State: 4%
- Track: 6%
- Total: 10%

**Half-Mile Tracks**

- State: 1% of first $1,500,000.00 — 6% after
- Track: 11% of first 1,500,000.00 — 6% after
- Total: 12%

**Breakage**

- Mile Tracks: 50 - 60
- Half-Mile Tracks: 50 - 60
### MUTUEL AND ATTENDANCE FIGURES

#### Purse Distribution

<table>
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<tr>
<th>Track</th>
<th>Date</th>
<th>No. Days</th>
<th>Total Mutuel Handicap</th>
<th>Daily Avg. Total Mutuel Handicap</th>
<th>Put Up By Track</th>
<th>Put Up By Horsemen</th>
<th>Total Stakes &amp; Purse Put Up By Track</th>
<th>% of Track Purse Put Up By Track</th>
<th>Total Attend</th>
<th>Average Daily Attend.</th>
<th>Largest Day Attend.</th>
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<tr>
<td>Balto. Raceway</td>
<td>1950</td>
<td>20</td>
<td>$4,286,425.00</td>
<td>$214,322.00</td>
<td>$82,467.00</td>
<td>$36,333.00</td>
<td>$118,800.00</td>
<td>11% of $2,000,000 — 7½% thereafter</td>
<td>106,413</td>
<td>5,321</td>
<td>8,922</td>
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<tr>
<td></td>
<td>1951</td>
<td>20</td>
<td>$5,326,767.00</td>
<td>266,338.00</td>
<td>107,410.00</td>
<td>35,190.00</td>
<td>142,600.00</td>
<td>2.0% of $2,000,000 — 4½% thereafter</td>
<td>111,472</td>
<td>5,573</td>
<td>8,837</td>
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<td>1952</td>
<td>20</td>
<td>$5,018,765.00</td>
<td>250,938.00</td>
<td>151,604.00</td>
<td>64,896.00</td>
<td>216,500.00</td>
<td>3.0% of $2,000,000 — 6½% thereafter</td>
<td>109,530</td>
<td>5,476</td>
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<td>Laurel Raceway</td>
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<td>$5,485,593.00</td>
<td>274,279.00</td>
<td>123,392.00</td>
<td>37,808.00</td>
<td>161,200.00</td>
<td>2.0% of $2,000,000 — 4½% thereafter</td>
<td>119,233</td>
<td>5,896</td>
<td>9,522</td>
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<tr>
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<td>20</td>
<td>$6,067,996.00</td>
<td>303,400.00</td>
<td>163,061.00</td>
<td>64,489.00</td>
<td>227,550.00</td>
<td>2.6% of $2,000,000 — 6% thereafter</td>
<td>135,745</td>
<td>6,687</td>
<td>10,168</td>
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<tr>
<td></td>
<td>1952</td>
<td>20</td>
<td>$6,232,467.00</td>
<td>312,623.00</td>
<td>144,693.00</td>
<td>64,489.00</td>
<td>227,550.00</td>
<td>2.6% of $2,000,000 — 6% thereafter</td>
<td>135,745</td>
<td>6,687</td>
<td>10,168</td>
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<tr>
<td>Ocean Downs</td>
<td>1950</td>
<td>20</td>
<td>$1,992,862.00</td>
<td>99,643.00</td>
<td>76,343.00</td>
<td>19,407.00</td>
<td>97,750.00</td>
<td>3.9% of $2,000,000 — 7½% thereafter</td>
<td>100,192</td>
<td>5,010</td>
<td>7,403</td>
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<tr>
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<td>1951</td>
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<td>$2,560,128.00</td>
<td>128,006.00</td>
<td>104,146.00</td>
<td>22,554.00</td>
<td>126,700.00</td>
<td>4.0% of $2,000,000 — 7½% thereafter</td>
<td>107,609</td>
<td>5,380</td>
<td>8,843</td>
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<tr>
<td></td>
<td>1952</td>
<td>20</td>
<td>$2,750,520.00</td>
<td>137,752.00</td>
<td>144,693.00</td>
<td>64,489.00</td>
<td>227,550.00</td>
<td>2.6% of $2,000,000 — 6% thereafter</td>
<td>135,745</td>
<td>6,687</td>
<td>10,168</td>
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<tr>
<td>Rosecroft</td>
<td>1950</td>
<td>20</td>
<td>$5,099,896.00</td>
<td>254,994.00</td>
<td>135,125.00</td>
<td>35,000.00</td>
<td>170,125.00</td>
<td>1.9% of $2,000,000 — 7½% thereafter</td>
<td>137,180</td>
<td>6,859</td>
<td>8,214</td>
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<tr>
<td></td>
<td>1951</td>
<td>20</td>
<td>$5,332,369.00</td>
<td>276,618.00</td>
<td>129,415.00</td>
<td>19,000.00</td>
<td>148,415.00</td>
<td>1.9% of $2,000,000 — 7½% thereafter</td>
<td>140,356</td>
<td>7,018</td>
<td>8,209</td>
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<td></td>
<td>1952</td>
<td>20</td>
<td>$6,718,525.00</td>
<td>335,926.00</td>
<td>190,200.00</td>
<td>45,507.00</td>
<td>235,700.00</td>
<td>2.1% of $2,000,000 — 7½% thereafter</td>
<td>168,277</td>
<td>8,414</td>
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#### NO. OF MUTUEL WINDOWS

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<tr>
<th>Sellers Cashiers</th>
<th>Baltimore Raceway</th>
<th>Laurel Raceway</th>
<th>Ocean Downs</th>
<th>Rosecroft</th>
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<tr>
<td>Sellers</td>
<td>67</td>
<td>84</td>
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<td>Cashiers</td>
<td>58</td>
<td>75</td>
<td>52</td>
<td>71</td>
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#### DISTRIBUTION OF “TAKE” FROM MUTUELS

<table>
<thead>
<tr>
<th>Track</th>
<th>1950</th>
<th>1951 and 1952</th>
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<tr>
<td>Track</td>
<td>6%</td>
<td>6%</td>
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<tr>
<td>State</td>
<td>11%</td>
<td>1%</td>
</tr>
<tr>
<td>Total</td>
<td>12%</td>
<td>12%</td>
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</table>

Breakage to Track Breakage to State
Report to

THE GENERAL ASSEMBLY OF 1953

PROPOSED BILLS

VOLUME II

MARYLAND LEGISLATIVE COUNCIL
THE LEGISLATIVE COUNCIL OF MARYLAND

SENATE
George W. Della, Chairman
Omar D. Crothers, Jr.  Robert B. Kimble  Layman J. Redden
Louis L. Goldstein  David K. McLaughlin  John G. Turnbull
Stanford Hoff  Bernard S. Melnicove  Edward Turner

HOUSE
John C. Luber, Vice-Chairman
A. Gordon Boone  Arthur H. Green  E. Layton Riggin
Thomas F. Dempsey  Anders R. Lofstrand, Jr.  Jerome Robinson
Melvin H. Derr  John F. McNulty  E. Homer White, Jr.

Horace E. Flack
Secretary and Director of Research

Carl N. Everstine
Acting Secretary and Director of Research
LETTER OF TRANSMITTAL

December 26th, 1952.

To the Members of the General Assembly:

There is submitted herewith the second volume of the Report and Recommendations of the Legislative Council of Maryland to the General Assembly of 1953.

Volume I has already been distributed under date of December 1, 1952.

Among the more important bills in this volume are those concerning the Twelve-Year Roads Program, Teachers' Salaries, Assessments, Racing, Corporation Laws, Parole and Probation and Correction. Also, there are a number of bills proposed by the Sobeloff Commission in this volume.

Respectfully submitted,

GEORGE W. DELLA, Chairman.
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<td>Assessments</td>
<td>i</td>
</tr>
<tr>
<td>Bonded Indebtedness</td>
<td>i</td>
</tr>
<tr>
<td>Corporations</td>
<td>i</td>
</tr>
<tr>
<td>Correction</td>
<td>i</td>
</tr>
<tr>
<td>County Commissioners</td>
<td>i</td>
</tr>
<tr>
<td>Fiscal Research Bureau</td>
<td>i</td>
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<tr>
<td>Labor and Industry</td>
<td>ii</td>
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<tr>
<td>Minors</td>
<td>ii</td>
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<td>Parole and Probation</td>
<td>ii</td>
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<td>Pensions</td>
<td>ii</td>
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<td>Personnel Administration</td>
<td>ii</td>
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<tr>
<td>Racing</td>
<td>ii</td>
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<tr>
<td>Roads</td>
<td>ii</td>
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<tr>
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<td>ii</td>
</tr>
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<td>ii</td>
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<td>Support of Dependents</td>
<td>iii</td>
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<td>iii</td>
</tr>
<tr>
<td>Teachers' Salaries</td>
<td>iii</td>
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<tr>
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<tr>
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<td>iii</td>
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<tr>
<td>Workmen's Compensation</td>
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<tr>
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<tr>
<td>Part 3—Minutes of the Meetings of the Legislative Council</td>
<td>117A</td>
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</table>
PART I

REPORT AND RECOMMENDATIONS
REPORT AND RECOMMENDATIONS

December 26th, 1952.

To the Members of the General Assembly:

The Legislative Council herewith submits Volume II of its Report and Recommendations to the General Assembly of 1953. Volume I was distributed to the members of the General Assembly early in December. Committees of the Council held a number of meetings following the report submitted as of December 1st and the Council itself met on three different days.

The following bills are submitted for the consideration of the General Assembly at the session of 1953:

ALCOHOLIC BEVERAGES

A bill is submitted to add Section 130A to Article 2B of the Code, providing penalties for the sale or delivery of alcoholic beverages upon which Maryland taxes have not been paid.

ASSESSMENTS

There is a bill to repeal Sections 2(22) and 2(23) and to amend Sections 13 and 230 of Article 81, putting assessments on a three-year basis, with the new valuations to be applied at the end of each year.

BONDED INDEBTEDNESS

The Council is proposing a joint resolution in support of the principle that bond issues should be used only for capital expenditures and not for current expenses.

CORPORATIONS

A bill is submitted to amend a number of sections of Article 23 of the Code, making clarifying amendments in the corporation laws following the revision of those laws at the 1951 session.

CORRECTION

There is a bill to relieve the Board of Corrections of its non-policy-making and administrative functions and to make other changes in the system of penal and parole administration.

COUNTY COMMISSIONERS

There is a bill to repeal Sections 92 and 93 of Article 5, relating to appeals from the County Commissioners to the Circuit Courts of the counties.

FISCAL RESEARCH BUREAU

A bill submitted by the Council would repeal Sections 36 to 39 and amend Sections 40 to 44 of Article 19, abolishing the Maryland Commission on Uniform Accounts and transferring some of its functions to the Fiscal Research Bureau.

Another bill would repeal Sections 122-129 of Article 41 and add Sections 42-49 to Article 40 of the Code, establishing the Fiscal Research Bureau as a Department of the State Government operating under the General Assembly.
A bill recommended by the Legislative Council would abolish the Board of Boiler Rules and transfer the functions of that agency, together with the Bureau of Mines and the safety functions of the State Industrial Accident Commission, to the Department of Labor and Industry.

MINORS

There is a bill to add Section 98A to Article 75 of the Code, requiring generally the approval of the Court to the compromise or settlement of any action to which a minor or an incompetent is a party.

PAROLE AND PROBATION

Another bill submitted by the Council would revise generally the correctional and parole administration and procedure of this State.

PENSIONS

The Council is proposing a bill to amend Sections 3(5) and 6(2) of Article 73B of the Code, renewing the time limitation as to elected or appointed officials who desire to become members of the Employees' Retirement System.

PERSONNEL ADMINISTRATION

There is another bill to revise the laws concerning personnel administration in Maryland, dealing generally with the office of the State Employment Commissioner and with the Standard Salary Board.

RACING

A bill is proposed by the Council to amend generally Article 78B of the Code, carrying out most of the recommendations of the Special Committee on Racing. (The report and recommendations of the Special Committee on Racing are contained in the appendix to Volume I of the Council's report.)

ROADS

There is a bill proposed to give effect to the twelve-year overall roads program submitted by the State Roads Commission and its Advisory Council.

Another bill amends Section 5 of Article 89B, concerning the period after which certain per diem employees of the State Roads Commission may apply for classification as highway maintenance men.

There is a joint resolution requesting the Attorney General to study and revise all existing public general and public local laws relating to highways and streets.

SCHOOL BUSES

A bill is recommended by the Council to amend Sections 102, 231, and 232 of Article 66:2 of the Code, making more severe the penalties for a violation of the school bus law.

SOBELOFF COMMISSION

A number of bills approved by the Council have been recommended by the Commission on Administrative Organization, more generally known as the Sobeloff Commission.
One is a joint resolution endorsing the principle that bond issues not be used to finance current operation expenditures.

Another would abolish the Maryland Commission on Uniform Accounts and transfer some of its duties to the Fiscal Research Bureau.

A third bill would transfer the functions of the Bureau of Mines, the Board of Boiler Rules and the safety functions of the Industrial Accident Commission to the Department of Labor and Industry.

Next, there is a bill to set up a Parole Board, to relieve the Board of Correction of its non-policy-making and administrative functions and to make other changes in the system of parole and penal administration.

There is a bill to revise the laws concerning personnel administration in Maryland.

Also, there is a bill to restrict the payment of State-collected funds to the political sub-divisions unless a minimum per capita amount is imposed on the local level.

**Support of Dependents**

A bill is recommended to amend Sections 11 and 12 of Article 80C, authorizing the courts to handle cases for the civil enforcement of support, decrees without fees or other costs to the petitioner.

**Taxes**

There is a bill to add Section 151A to Article 81, requiring the reporting of changes or transfers of property on which an inheritance tax applies.

Another would amend sections in Article 89B, 81, 78B and 56 of the Code, to require that State tax funds which are shared with political sub-divisions should not be distributed unless a minimum per capita revenue is raised locally.

**Teachers' Salaries**

There is a bill to amend Sections 102, 209 and 213 of Article 77 of the Code and to enact other temporary provisions, all to give effect to the recommendations of the Commission to Study Public Education and Finances.

**Unemployment Compensation**

Another bill being recommended by the Legislative Council would add a series of amendments to Article 95A of the Code, relating generally to the benefits paid under the Unemployment Compensation System.

**Witnesses**

There is a bill to re-enact Sections 701-707 of Article 27 of the Code, curing a possible defect in the title of the Uniform Act on Witnesses and adding provisions concerning admitting witnesses to bail.

**Workmen's Compensation**

Another bill proposed by the Council would amend generally Article 101 of the Code, changing a number of the laws concerning Workmen's Compensation.

There also is a joint resolution to request a study of the possibility of establishing rehabilitation clinics.

**Zoning**

Finally, the Council is submitting a bill to amend Section 35 of Article 66B of the Code, which would extend to every county in the State the enabling legislation to establish zoning commissions.
PART II

PROPOSED BILLS

SUBMITTED TO

THE GENERAL ASSEMBLY OF 1953
# GUIDE TO BILLS

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<td>Boiler inspections; safety</td>
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Explanation

This bill is recommended by Mr. Albert A. Block of Annapolis. It would make unlawful the solicitation of the sale of alcoholic beverages which are subject to a tax imposed by Maryland upon which such tax has not been paid.

Also, it would make unlawful the delivery in Maryland of alcoholic beverages upon which such taxes are due and unpaid.

The complaint is that the solicitation and sale of alcoholic beverages upon which taxes have not been paid is resulting in an ever-increasing loss of revenue to the State and that some effort should be made to block off such sales.

Item No. 103.

A BILL

ENTITLED

AN ACT to add a new section to Article 2B of the Annotated Code of Maryland (1951 Edition), title "Alcoholic Beverages," said new section to be known as Section 130A, to follow immediately after Section 130 thereof, and to be under the sub-title "Taxation," providing penalties for the sale, solicitation of the sale, selling or delivery of certain alcoholic beverages upon which the taxes imposed by this Article have not been paid.

SECTION 1. Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 2B of the Annotated Code of Maryland (1951 Edition), title "Alcoholic Beverages," said new section to be known as Section 130A, to follow immediately after Section 130 thereof, to be under the sub-title "Taxation," and to read as follows:

130A. It shall be unlawful for any person, association or corporation in this State in any manner whatever to offer for sale, solicit the sale of or sell to consumers in Maryland any alcoholic beverages in any quantity which are subject to any tax imposed by this Article and upon which such tax has not been paid. It shall also be unlawful for any person, firm or corporation outside this State to deliver or cause to be delivered in this State to consumers in Maryland any alcoholic beverages upon which any such taxes are due and unpaid.

Any person violating the provisions of this section shall, upon conviction, be subject to the penalties prescribed in Section 131 of this Article.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended by the County Attorney of Montgomery County. It would revise the assessment law which is now scheduled to take effect in 1954. In its present form, this law provides for making assessments on a three-year cycle, with all appraisals made during the three-year period to be applied as assessments at the end of the period. The recommendation is that this would have the effect of freezing assessments for three years, thereby causing tax rates to increase because assessment valuations could not rise.

Also, insofar as borrowing power is based upon assessed valuation, the present law would freeze the ability of a political subdivision to borrow money.

The proposed bill would retain the three-year cycles for making assessments but would permit the new valuations to be applied at the end of each year.

(Item No. 82)

A BILL

ENTITLED

AN ACT to repeal Sections 2(22) and 2(23) of Article 81 of the Annotated Code of Maryland (1951 Edition), title “Revenue and Taxes,” sub-title “Rules of Construction,” said sections defining the words “assessment” and “appraisal” for the purposes of the levy of direct taxes; to repeal and re-enact, with amendments, Sections 13 and 230(8) of Article 81 of said Code, sub-titles “Method of Assessment,” and “State Tax Commission,” revising the method of assessment to be effective in this State beginning in 1954 and providing that assessments shall be made regularly on a three-year cycle, with the revaluations to be applied at the end of each year, as made.

1. Section 1. Be it enacted by the General Assembly of Maryland, That Sections 2(22) and 2(23) of Article 81 of the Annotated Code of Maryland (1951 Edition), title “Revenue and Taxes,” sub-title “Rules of Construction,” be and they are hereby repealed and that Sections 13 and 230(8) of said Article, sub-titles “Method of Assessment,” and “State Tax Commission,” be and they are hereby repealed and re-enacted, with amendments, to read as follows:

2. [(22) When used in connection with direct taxes, the word “assessment” shall mean the valuation assigned to property for purposes of a tax levy.]

3. [(23) When used in connection with direct taxes, the word “appraisal” shall mean the valuation of property preparatory to its assessment.]

1. [(a) Except as hereinafter provided, all property directed in this Article to be assessed, shall be assessed at
the full cash value thereof on the date of finality. An as-
sessment existing on June 1, 1929, or thereafter made,
shall continue in force from year to year until changed
pursuant to the provisions of this Article.

[(b) From and after January 2, 1954, all property di-
rected in this Article to be assessed shall be assessed an-
ually on the date of finality in the following manner:

(1) For those annual assessments which occur between
January 2, 1954, and the completion of the first full cycle
of appraisals in the county involved or Baltimore City, as
the case may be, pursuant to Section 230(8) (b) of this
Article, all such property shall be assessed at such value
as would have been the full cash value thereof on the date
of finality falling on or next preceding January 1, 1954,
as if such property had existed on such date of finality in
the same form, condition and surroundings as at the time
of assessment.

(2) For all annual assessments which occur at or after
the completion of the first full cycle of appraisals in the
county involved or Baltimore City, as the case may be,
pursuant to Section 230(8) (b) of this Article, all such
property shall be assessed at such value as would have been
the full cash value thereof on the date of finality immedi-
ately preceding the commencement of the last full cycle of
said appraisals prior to the assessment, as if such property
had existed on such date of finality in the same form, con-
dition and surroundings as at the time of assessment.

(c) The provisions of sub-section (b) of this section
shall not apply to property assessable by the State Tax
Commission in its original jurisdiction nor to property for
which other methods of assessment are prescribed by this
Article.

(d) Nothing herein shall be construed to affect the pro-
visions of Section 38 of this Article.]

[(a) To continue the present rotational system of
re-assessing properties once in every five years by district
or classes until January 1, 1954; provided, however, that
either the Commission, or the assessing authority of any
county or the Department of Assessments or Board of Mu-
nicipal and Zoning Appeals of Baltimore City, shall have
power to order and enforce a review and reassessment at
any time before said date of all assessable property in such
county or city, or all property of any class or district or
part of a district therein.

(b). From and after the date of finality falling on or
next preceding January 1, 1954, as the case may be, the
Commission shall enforce and execute in each County and
in Baltimore City a continuing method of assessment so
that all assessable property shall be thoroughly reviewed
and reassessed at least once in every three years. The Com-
misson shall, after consultation with local assessing au-
thorities, establish three districts or three classes of prop-
erty in each county and in Baltimore City, and shall re-
quire that all property in one of said districts or classes be
reviewed and appraised for assessment purposes each year.
in rotation; provided, however, that either the Commission, or the assessing authority of any county, or the Department of Assessments of Baltimore City, shall have power to order and enforce a review and appraisal at any time of all property in such county or city, or all property of any class or district or part of any district therein. All appraisals made under this paragraph (b) of this sub-section shall become effective as assessments upon the date of finality terminating the three-year cycle during which such appraisals were made; provided, however, that if any cycle of appraisals in an entire county or Baltimore City, as the case may be, shall have been completed in less than three years as the result of an order of the Commission or the local assessing authority as hereinafter provided, then such appraisals shall become effective as assessments upon the first date of finality following such completion, and in such event, the next succeeding three-year cycle shall commence immediately from and after such date of finality. Appraisals under this sub-paragraph (b) of this sub-section shall be made so that, when they become effective as assessments, they will be at the values required by Section 11(b) of this Article, and to this end such appraisals shall be subject to adjustment at any time. Nothing herein shall be construed to prevent the assessment or reassessment of any property at any time pursuant to other applicable provisions of this Article.

To enforce and execute a continuing method of assessment so that all assessable property in every county and in Baltimore City shall be thoroughly reviewed at least once in every three years. It shall be the duty of the Commission, after consultation with the local assessing authorities, to establish three districts or three classes of property in each county and in Baltimore City, and to require that the property in one of the said districts or classes be reviewed and reassessed each year in rotation. The Commission shall have the power at any time to order and enforce a review and reassessment of all property, or all property of any class, in any county or in Baltimore City, or in any district or part of a district, if said property has not been reviewed or re-assessed within three years, or if the existing assessments are found to be greater or less than the assessments on other properties possessing similar and comparable values.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
This resolution is recommended by the Commission on Administrative Organization of the State in its report on Public Works Administration in Maryland. It endorses the principle that bond issues not be used to finance current operation expenditures.

Item No. 55G(4)

JOINT RESOLUTION

Joint Resolution directing all concerned with the financing of public improvements by bond issues to adhere as closely as possible to the principle that financing by bond issuance should be limited to payment for capital items only and not for items merely related thereto or for large items of current expenditure.

WHEREAS, it is deemed to be a wise practice for the State to pay current expenses out of current income and to borrow only to purchase major capital items; and

WHEREAS, because of expediency and other reasons proceeds of bond issues are sometimes used not only to pay for the capital item such as a building but also to pay for the initial supplies of that building; and

WHEREAS, the repair, maintenance, and replacement of equipment is sometimes financed out of the proceeds of bond issues, particularly when the amount involved is large; therefore be it

Resolved by the General Assembly of Maryland, That department heads, legislators, administrators and all others concerned with the budgets of the State recognize that the proceeds of bonds issued to finance the purchase and construction of capital improvements should be used solely for land, structures and equipment, and not for items such as supplies which normally would be included within an operation budget; that they refrain from financing operational expenses out of bond issues; that they recognize the temporarily great cost of furnishing initial operating supplies in connection with new capital improvements; that they realize that repair, maintenance and replacement are current expenditures necessary for the protection and preservation of State property, and that they avoid the process of making large current expenditures from funds which should be reserved for capital improvements.
Explanation

This bill is recommended by Messrs. William C. Walsh and C. Keating Bowie. It would make a number of clarifying amendments in the new corporation laws to cover points which have been suggested by attorneys engaged in corporation practice. The general corporation laws were revised in the 1951 session of the General Assembly. Mr. Walsh served as Chairman and Mr. Bowie served as Reporter for the commission which drafted the new act. They have since compiled these suggestions for clarifying amendments and submitted them to the Legislative Council.

(Item No. 148)

A BILL
ENTITLED

AN ACT to repeal and re-enact, with amendments, Sections 8 (b), 12 (a), 14 (a), 14 (b), 28 (d), 30 (c), 31 (b), 44, 62, 63, 69 (c), 124 (a), 124 (c), 126 (a), 128 (b), 130 (a), 131 (b) and 132 of Article 23 of the Annotated Code of Maryland (1951 Edition), title "Corporations", and to add a new subsection to Section 131 of said Article, said new subsection to be known as subsection (d) and to follow immediately after subsection (c) of said Section 131, amending the general corporation laws.

1. SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 8 (b), 12 (a), 14 (a), 14 (b), 28 (d), 30 (c), 31 (b), 44, 62, 63, 69 (c), 124 (a), 124 (c), 126 (a), 128 (b), 130 (a), 131 (b) and 132 of Article 23 of the Annotated Code of Maryland (1951 Edition), title "Corporations", be and they are hereby repealed and re-enacted, with amendments, to read as follows:

1. 8.

2. (b) A corporation may designate or change its resident agent or its principal office in this State by filing for record with the Commission a certified copy of a resolution of the board of directors of the corporation authorizing such designation or change. A corporation may change the post office address of its resident agent by filing for record with the Commission a statement of such change signed by the president or a vice-president. Such designation or change of name or address of a resident agent or principal office shall become effective upon the acceptance for record by the Commission of such document.

3. 12.

4. (a) All articles of amendment shall set forth the amendment to the charter and shall state either (1) that the amendment has been duly advised by the board of directors
and approved by the stockholders, or (2) that the amend-
ment has been approved by a majority of the entire board
of directors and (i) there were at the time of such adoption
no shares of stock [outstanding and] entitled to vote
thereon or (ii) the amendment consists only of a change
in the name of the corporation to delete therefrom the
word ‘The’ or the name of the county or city in which the
corporation was formed.

    If the authorized stock of the corporation is increased
by the amendment, the articles shall also set forth—
(1) The total number of shares of all classes theretofore
authorized, and the number and par value of the shares
of each class or a statement that such shares are without
par value and, in the case of shares having par value, the
aggregate par value of all such shares of all classes.
(2) The total number of shares of all classes as in-
creased and the number and par value of the shares of each
class or a statement that such shares are without par value
and, in the case of shares having par value, the aggregate
par value of all such shares of all classes.
(3) If the shares are divided into classes, a description
of each class with the preferences, conversion and other
rights, voting powers, restrictions, limitations as to divi-
dends, and qualifications, of each class as increased or a
statement that such terms thereof are as set forth in the
charter.

14. (Charter Provisions). (a) Every corporation of
this State by its charter may provide:
(1) For one or more classes of stock and the voting
rights thereof and any restrictions on or denial of such
rights.
(2) As to each class of stock, either the par value of the
shares or that the shares are without par value.
(3) That the corporation shall set apart for or pay to
the holders of a certain class or certain classes of stock,
dividends thereon at such rates, or in such amounts, and
at such times as specified, before any dividends shall be set
apart for or paid to the holders of some other class or
classes of stock, and such dividends may be made cumula-
tive, cumulative to a limited extent, or non-cumulative.
(4) That any class of stock is preferred over other
classes of stock as to its distributive share of the assets upon
voluntary or involuntary liquidation of the corporation,
and the amount or amounts of such preference.
(5) That one or more classes of stock, as specified, may
be redeemed at the option of the corporation or of the
holders of such stock and the terms and conditions of re-
demption.
(6) That one or more classes of stock, as specified, shall
be convertible into shares of stock of one or more other
classes and the terms and conditions upon which the same
shall be so convertible.
(7) That bonds, notes, debentures or other obligations
issued by the corporation shall be convertible into shares
of stock of one or more classes and the terms and conditions
upon which the same shall be so convertible.
(8) That the holders of any bonds, notes, debentures or
other obligations, issued or to be issued by the corporation,
shall have any voting or other rights which under the law
are or may be conferred on stockholders.

(9) Other preferences, rights, restrictions and qualifi-
cations not inconsistent with law.

(10) That the board of directors may classify or re-
classify any unissued shares by fixing or altering in any
one or more [aspects] respects, from time to time before
issuance of such shares, the preferences, rights, voting
powers, restrictions and qualifications of, the dividends on,
the times and prices of redemption of, and the conversion
rights of, such shares.

(b) In case the board of directors, pursuant to a power
contained in the charter, classifies or reclassifies any un-
issued shares by fixing or altering the preferences, rights,
voting powers, restrictions or qualifications of, the divi-
dends on, the times or prices of redemption of, or the con-
version rights of, any unissued shares, the board of direc-
tors, before any such stock is issued, shall file with the
Commission articles supplementary to the charter, con-
taining a description of the stock with the preferences,
conversion and other rights, voting powers, restrictions,
limitations as to dividends and qualifications as fixed or
altered by the board of directors and stating that the shares
have been duly classified or reclassified by the board of
directors pursuant to authority contained in the charter.
The articles shall be signed and acknowledged in the name
and on behalf of the corporation by the president or a vice-
president, the corporate seal shall be affixed and attested
by the secretary or an assistant secretary and the matters
and facts set forth in said articles with respect to the ac-
tion by the board of directors shall be verified under oath
by the chairman or secretary of the meeting at which such
classification or reclassification was adopted.

28.

(d) No acquisition by any corporation by gift, bequest
or purchase of shares of its own stock which have not been
fully paid shall release, or be made the basis of a release of,
the liability of the holders thereof unless the assets of the
corporation remaining immediately after such release shall
be not less than the debts of the corporation plus the
amount of its [issued capital stock] stated capital.

30.

(c) If the reduction is to be effected without amending
the charter, the corporation shall file for record with the
Commission articles of reduction, accompanied by the fees
provided by law. If the charter is to be amended, the corpo-
ration shall file for record with the Commission articles of
[reduction and amendment] amendment and reduction,
accompanied by the fees provided by law.

31.

(b) Articles of [reduction and amendment] amendment
and reduction shall set forth the matters required to be set
forth in articles of amendment and in articles of reduction.
9A

44. (By-Laws.) After the organization meeting of the board of directors, the power to make, alter and repeal the by-laws of the corporation shall be vested in the stockholders unless and to the extent such power may be vested in the board of directors by the charter or the by-laws. The by-laws may contain any provisions not inconsistent with law or the charter for the regulation and management of the affairs of the corporation. The original or a certified copy of the by-laws, including all amendments, shall be kept at the principal office of the corporation in this State.

A copy of the by-laws of any corporation of this State, certified to be a true copy under its seal by the president or a vice-president and the secretary, an assistant secretary, the treasurer or an assistant treasurer thereof, shall be prima facie evidence of such by-laws in the courts of this State.

62. (Procedure for Consolidation, Merger, Sale, Lease, Exchange or Transfer.) (a) Every such consolidation or merger [(other than a merger of a wholly owned subsidiary corporation into its parent corporation without amendment of the charter of such parent corporation)], and every such sale, lease, exchange or other transfer of all or substantially all the property and assets of a corporation of this State shall be effected in the manner following: [in accordance with the provisions of this section, except as a merger of a wholly owned subsidiary corporation into its parent corporation without amendment of the charter of such parent corporation may be effected in accordance with the provisions of Section 63.]

[(1)] (b) The board of directors of each corporation of this State proposing to become a party to the consolidation or merger, or proposing to transfer all or substantially all the property and assets of the corporation, shall adopt a resolution declaring that the proposed consolidation, merger or transfer is advisable substantially upon the terms and conditions set forth in a proposed form of articles of consolidation, articles of merger or articles of sale, lease, exchange or transfer, as the case may be; and shall direct that the proposed articles be submitted for action thereon at either an annual or a special meeting of the stockholders of such corporation.

[(2)] (c) Notice stating that a purpose of the meeting will be to take action upon the proposed articles shall be given by each corporation as required by this Article, to all its stockholders entitled to vote thereon. Like notice shall be given to all its stockholders not entitled to vote thereon, other than stockholders of the surviving corporation in the case of a merger which does not alter the contract rights of such stock as expressly set forth in the charter.

[(3)] (d) The proposed articles shall be approved by the stockholders by the affirmative vote of two-thirds of all the votes entitled to be cast thereon or, if two or more classes of stock are entitled to vote separately thereon, then by two-thirds of each class.

[(4)] (e) For each corporation organized under the laws of another state, and for each transferee corporation whether organized under the laws of this or another state, the articles shall be duly advised, authorized and approved
in the manner and by the vote required by the charter of
the corporation and the laws of the State under which
organized.

[(5)] (f) Articles in substantially the form so approved
shall be filed for record with the Commission, and the fees
and bonus tax, if any, provided by law shall be paid.

[(6)] (g) The Commission shall prepare a certificate or
certificates of consolidation, merger, or transfer, as the
case may be, giving the names of the parties to the articles,
the name and location of the principal office or place
of business of the new or the surviving corporation or of
the transferee and the time of the acceptance of the
articles for record by the Commission. In addition to other
provisions of law with respect to recording, one of such
certificates shall be transmitted by the Commission to the
clerk of court of each county in this State (other than any
county in which the articles will be recorded), in which
the principal offices of one or more of the consolidating,
merging or transferor corporations are located and of each
county of this State in which the articles show any of
said consolidating, merging or transferor corporations,
other than the corporation surviving the merger, owns
property the title to which could be affected by the recording
of an instrument among the land records. Upon receipt
of said certificate, the clerk of court shall promptly
record the same among the charter records, if it relates
to the location of a principal office, and among the land
records, if it relates to property the title of which could
be affected by the recording of an instrument among the
land records.

[(7)] (h) Notwithstanding the foregoing provisions of
this section, the proposed consolidation, merger or trans-
fer may be abandoned prior to the effective date of the
articles, but not later than thirty days after the last meet-
ing of stockholders of any corporation party to the pro-
posed articles at which the action was approved:

(i) If the articles so provide, by majority vote of the
entire board of directors of any corporation of this State
party to the articles; or

(ii) Unless the articles otherwise provide, by majority
vote of the entire board of directors of every corporation
of this State party to the articles.

If the articles have been filed with the Commission, no-
notice of such abandonment shall be given promptly to the
Commission.

In the event the proposed consolidation, merger or trans-
fer is abandoned in accordance with the provisions of
this subsection, no legal liability shall arise under the
articles of consolidation, merger or transfer, but no such
action shall, in any event, prejudice the rights of any
person under any other contract made by a corporation
party to the proposed articles in connection with the pro-
posed consolidation, merger or transfer.

[(8)] (i) A consolidation of corporations to form a
new corporation of this State, or a merger of one or more
corporations of this or another state or states into a cor-
poration of this State, or a transfer of property and as-
sets of a corporation of this State, shall be effective when
the articles of consolidation, merger or transfer have been accepted for record by the Commission. A consolidation or merger of one or more corporations of this State into a corporation of another state shall be effective in accordance with the law of the jurisdiction in which the new or surviving corporation is organized, but not until the articles of consolidation or of merger have been accepted for record by the Commission; there shall be filed for record with the Commission a certificate of the State in which the new or surviving corporation is organized, certifying the date on which the articles of consolidation or merger were filed.

63. (Procedure for Merger of Wholly Owned Subsidiary Corporation.) (a) A merger of a wholly owned subsidiary corporation into its parent corporation may be effected in accordance with the provisions of this section, if no amendment of the charter of the parent corporation is to be effected thereby.

(b) The board of directors of each corporation of this State proposing to become a party to the merger shall by majority vote of the entire board of directors adopt a resolution approving the proposed merger substantially upon the terms and conditions set forth in a proposed form of articles of merger.

(c) No meeting of stockholders of either corporation need be called or held, but upon approval of the proposed articles by majority vote of the entire board of directors as aforesaid, and after notice to all stockholders of such parent corporation (if a corporation of this State) thirty days prior to filing, articles in substantially the form so approved shall be filed for record with the Commission, and the fees and bonus tax, if any, provided by law shall be paid.

(d) For each party to the articles which is a corporation organized under the laws of another state, the articles shall be duly advised, authorized and approved in the manner and by the vote required by the charter of the corporation and the laws of the state under which organized.

(e) The articles shall become effective as provided in Section 62.

69. (c) The successor shall promptly deliver or mail to each objecting stockholder written notice of the date of acceptance of the articles for record by the Commission. The successor may also deliver or mail to each objecting stockholder by whom demand for payment has been made a written offer to pay for his stock a price deemed by the successor to be the fair value of such stock. Such offer shall be accompanied by a balance sheet of the corporation which issued such stock, as of a date not more than six months prior to the making of such offer, a profit and loss statement for the twelve months' period ended on the date of such balance sheet and such other information as the successor may deem pertinent. The notice and offer shall be personally delivered by the successor to each such stockholder, or shall be mailed by registered mail, postage prepaid, addressed to the stockholder at such post office address as he has supplied in writing to the successor, or, if none, at his post office address as it appears on the records of the corporation which issued such stock.
124. (a) The Commission shall not accept for record any charter paper of a corporation of this State, which is not in conformity with law but any instrument purporting on its face to have been acknowledged may be considered by the Commission as properly acknowledged.

124. (c) Upon acceptance for record of any charter paper, or paper designating or changing the name or address of a resident agent or principal office, of any corporation of this State, the Commission shall indorse thereon the date and time of acceptance for record and shall promptly record such charter or other paper and the indorsement in a book to be kept for that purpose. After such recording, the Commission shall transmit the charter or other paper to the clerk of court of the county in which is located the principal office of the corporation. The clerk of court shall record the charter or other paper in a book to be kept for that purpose, and shall then return the same to the corporation or its attorney or agent.

126. (Recording, Filing and Other Fees.) (a) The Commission shall charge and collect, in addition to the bonus tax, if any, the following fees:

(1) For each of the following papers required to be recorded, a recording fee consisting of a minimum charge of $10 plus $2 for each page in excess of five, except as specified herein, and the filing or special fees, if any, enumerated herein:

Type of Instrument | Recording Fee | Special Fee
--- | --- | ---
Articles of incorporation | As above | None
Articles of amendment | As above | None
Articles of reduction | As above | None
Articles of amendment and reduction | As above | None
Articles of restatement of charter | As above | None
Articles supplementary | As above | None
Stock issuance statement | As above | None
Articles of consolidation, merger, sale, lease, exchange or transfer | As above $2 for each certificate
Articles of dissolution (including cost of publication by the Commission of the notice of dissolution) | As above | $10
Articles of revival for corporation having capital stock | As above | $25
Articles of revival for corporation having no capital stock | As above | $5
Notice of change of address of principal office | None $2 | None
Notice of change of name or address of resident agent | None $2 | None
Other papers | $2 per page | None

(2) For each of the following papers filed but not recorded:

Type of Instrument | Filing Fee
--- | ---
Reservation of a corporate name | $2
Original registration of name of a foreign corporation to end of calendar year | $25
13A

Renewal of registration of name of a foreign corporation for one calendar year $25
Papers in connection with the qualification of a foreign corporation to do intrastate business in this State $25
Annual report of a foreign corporation subject to the jurisdiction of this State (except insurance companies which pay an annual filing fee of $25 to the Insurance Commissioner, national banks, building or homestead associations, savings and loan associations, credit unions and charitable benevolent institutions) $25
Annual report of a foreign building or homestead association, savings and loan association or credit union subject to the jurisdiction of this State $10
Annual report of a foreign corporation subject to the jurisdiction of this State $25

Other papers $2

(3) For issuance of certificates:
Certificate of good standing of a corporation of this State or of a foreign corporation $2
Certified list of the chartered papers of a corporation of this State recorded or filed with the Commission $2
Certificate of compliance by a foreign corporation with requirements of law in respect of qualification or registration $2
Certificate of withdrawal of registration or qualification $2
Certification of any paper recorded or filed in the Commission's office $2
When Commission makes a copy, additional fee per page $1

(4) For acceptance of service of process or notice upon the Commission $5

1 128.
2 130.
(b) Wherever the term stockholder, holder of shares, or other equivalent words are used in this Article, they shall be deemed to include members, unless the context otherwise requires.

1 131.
(b) Notwithstanding any provision of this Article to the contrary, any corporation of this State without capital
stock, may by its charter or by-laws provide that any action may be taken or authorized upon the concurrence of a greater or lesser number or proportion of the votes of all members or directors entitled to vote, than required for such action by this Article, and any action taken or authorized in accordance with such charter or by-law provision shall be valid and effective.

132. (Consolidation or Merger.) No corporation of this State without capital stock shall consolidate or merge with any corporation other than another corporation without capital stock. Any consolidation or merger of corporations without capital stock shall be effected in accordance with the provisions of this Article for consolidation and merger of stock corporations.

SEC. 2. And be it further enacted, That a new sub-section be and it is hereby added to Section 131 of Article 23 of the Annotated Code of Maryland (1951 Edition), title "Corporations", said new sub-section to be known as Sub-section (d), to follow immediately after Sub-section (c) of said Section 131 and to read as follows:

131.

(d) Notwithstanding any provision of this Article to the contrary, the organization meeting of the board of directors named in the charter of any corporation of this State, without capital stock, may be called either by a majority of the incorporators or by not less than one-third of the directors named in the charter.

SEC. 3. And be it further enacted, That this Act shall take effect June 1, 1953.
This bill was recommended by the County Council of Montgomery County. It would repeal two sections of the Code concerning appeals from decisions or orders of the County Commissioners to the Circuit Courts for the respective counties. The first section gives such a right of appeal, and the second provides that upon an appeal, either party shall have a right to a trial by jury. It is the recommendation of the County Council of Montgomery County that a right of appeal exists wholly independent of this statute and also that it is unwise and unsound to permit a jury to pass upon legislative or administrative action taken by the County Commissioners in their capacity as the elected representatives of the people.

(Item No. 155)

A BILL
ENTITLED
AN ACT to repeal Sections 92 and 93 of Article 5 of the Annotated Code of Maryland (1951 Edition), title, "Appeals and Errors", sub-title "Appeals from County Commissioners", which sections relate to appeals from decisions or orders of the County Commissioners to the Circuit Courts for the respective counties and provide procedural matters in relation thereto and provide that upon any such appeal either party shall have a right to a trial by jury and that the Circuit Court shall be authorized to ratify, reject, alter or amend the proceedings before the County Commissioners and in said Court, and that the Court is authorized to pass such judgment as the County Commissioners ought to have passed.

1 SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 92 and 93 of Article 5 of the Annotated Code of Maryland (1951 Edition), title, "Appeals and Errors", sub-title "Appeals from County Commissioners", be and the same hereby are repealed.

1 Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended by the Commission on Administrative Organization in its Third Report, on State-Local Fiscal Relations. It would abolish the Commission on Uniform Accounts and provide that the Fiscal Research Bureau be the sole agency to receive local uniform financial reports and to prescribe the form of such reports, that the deadline for submission of reports be extended from 90 to 120 days after the close of the fiscal period, that additional persons be authorized to conduct audits, and that the State Auditor's authority to admit the records of municipalities be extended to cover subdivisions with population of under 2,500 persons.

(Item No. 55B(5))

A BILL

ENTITLED

AN ACT to repeal Sections 36 to 39, inclusive, of Article 19 of the Annotated Code of Maryland (1951 Edition) title "Comptroller", sub-title "Uniform System of Accounts"; and to repeal and re-enact with amendments, Sections 40 to 44, inclusive, of said sub-title, to abolish the Maryland Commission on Uniform Accounts and coordinate the remaining functions thereof under the Fiscal Research Bureau, and to extend the field of audit of local books and accounts.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 36 to 39, inclusive, of Article 19 of the Annotated Code of Maryland (1951 Edition), title "Comptroller", sub-title "Uniform System of Accounts", be and the same are hereby repealed.

SEC. 2. And be it further enacted, That Sections 40 to 44, inclusive of said Article 19, be and the same are hereby repealed and re-enacted, with amendments, to read as follows:

40. Each county and each incorporated city or town and taxing district within this State [selecting the calendar year as its period for reporting fiscal transactions] shall [on or before January 1, 1950, adopt and] maintain the uniform system of financial reporting [established] provided for its grade by the [Maryland Commission on Uniform Accounts as provided in this sub-title] State Fiscal Research Bureau. [Each County and each incorporated city or town and taxing district within this State selecting the period beginning with the first of July and ending with the thirtieth of June as its period for reporting fiscal transactions shall, on or before July 1, 1950, adopt and maintain the uniform system of financial reporting established for its grade by the Maryland Commission on Uniform Accounts as provided in this sub-title.]

41. Each county, incorporated city or town and taxing district shall within [ninety (90)] one hundred and twenty
Committee Fiscal or accountant public

said that provided district, and county, each of committee Fiscal or accountant.

Fiscal Research Bureau, its financial report covering the full period of each such fiscal year. Such report shall be properly filled in on the form or forms established by the State Fiscal Research Bureau as provided in this sub-title and shall be verified by the chief executive officer of each county, incorporated city or town and taxing district.

42. Should any county or any incorporated city or town or taxing district situated within this State fail or refuse to adopt or to continue in use the uniform system of municipal financial reporting applicable to it as provided in this sub-title, the Comptroller, after notice by the Director of the State Fiscal Research Bureau, of such failure or refusal shall be authorized to order the discontinuance of payment of all funds, grants or State aid [to] which said county, incorporated city or town or taxing district is entitled to receive under State law. This section shall have specific reference to all funds, grants or State aid [to] which said county or incorporated city or town or taxing district is entitled to receive under applicable provisions of State law relating to the income tax, the tax on racing, the recordation tax, the tax on amusements and the license tax.

43. Should any county or incorporated city or town or taxing district situated within this State fail or refuse to file with the Director of the State Fiscal Research Bureau, within the time herein prescribed the financial report or reports as provided in this sub-title, the Comptroller, acting upon the advice of the Director of the State Fiscal Research Bureau, shall be authorized to order the discontinuance of payment of all funds, grants or State aid [to] which said county, incorporated city or town or taxing district is entitled to receive under State law. This section shall have specific reference to all funds, grants, or State aid [to] which said county, incorporated city or town or taxing district is entitled to receive under applicable provisions of State law relating to the income tax, the tax on racing, the recordation tax, the tax on amusements and the license tax.

44. After the adoption of the uniform system of financial reporting as required by Section 40 of this sub-title, each county, incorporated city or town and taxing district situated within the State having a total population of 2,500 persons or more, as determined by the most recent Federal census, shall have its books, accounts, records and reports examined at least once during each calendar year by the persons and for the purposes specified in this section. Said examination may be made by any one of the following persons or agencies at the election of the county, incorporated city or town and taxing district whose books, accounts and records are subject to audit: the State Auditor, with the aid of the Deputy State Auditor and Assistant State Auditors; an official auditor of any county or incorporated city; a Certified Public Accountant or a registered public accountant; or the Fiscal or Auditing Committee of each such county, incorporated city or town and taxing district, provided that said official auditor, registered public accountant or Fiscal or Auditing Committee
shall be approved by the State Auditor for the purposes specified in this section. On such examination, inquiry shall be made into the methods, accuracy and legality of the accounts, records, files and reports of each county, incorporated city or town and taxing district situated within this State. Provided that the State Auditor shall have the power upon his own initiative to audit the books, records and reports of any county, incorporated city or town or taxing district, whatever its population may be; and provided further, that any county, incorporated city or town or taxing district having population of less than 2,500 may request the State Auditor to audit its books, records and reports, the costs of such examination to be borne by said sub-division. If the audit provided in this section shall be made by any Certified Public Accountant or registered public accountant or the Fiscal Auditing Committee of any county, incorporated city, town and taxing district or official auditor of any county or incorporated city, such certified public accountant or registered public accountant or Fiscal Auditing Committee or official auditor of any county or incorporated city, as the case may be, shall report the results of his or their audit to the State Auditor on such form or forms and in such manner as the State Auditor may prescribe. This report shall be made to the State Auditor within ninety (90) one hundred and twenty days after the close of the fiscal year of the county, incorporated city or town and taxing district. The State Auditor shall on or before the first day of December in each year, and also at such other time or times as may be desirable, make a full and detailed report in writing to the Comptroller and to the Director of the State Fiscal Research Bureau of the result of the examination of the books, accounts, records and reports of each county, incorporated city or town and taxing district, together with such suggestions as he may think advisable to be made with respect to methods of bookkeeping, changes in the uniform system of municipal financial reporting and changes in the reports of said counties, incorporated cities or towns and taxing districts situated within this State. It shall also be the duty of the State Auditor to report all violations by any county, incorporated city or town and taxing district of the requirement and provisions specified in the sections of this sub-title to the State Comptroller.

Sec. 3. And be it further enacted, That this Article shall take effect July 1, 1953.
Explanation

This bill is recommended by the Legislative Council to separate the Department of Legislative Reference and the Bureau of Fiscal Research. The latter agency is a relatively new one, having been established in 1947, following a recommendation of the Sherbow Commission. It was set up under the Department of Legislative Reference. It is the recommendation of the Legislative Council that the two agencies have widely different types of work to perform and therefore should be separated.

(Item No. 137)

A BILL
ENTITLED

AN ACT to repeal Sections 122 to 129, inclusive, of Article 41 of the Annotated Code of Maryland (1951 Edition), title "Governor-Executive and Administrative Departments," sub-title "Department of Legislative Reference," sub-heading "Fiscal Research Bureau," and to enact in lieu thereof eight sections to be added to Article 40 of said Code, title "General Assembly," said new sections to be known as Sections 42 to 49, inclusive, to follow immediately after Section 41 thereof, and to be under the new sub-title "Fiscal Research Bureau," creating and establishing the Fiscal Research Bureau as a department of the State government operating under the General Assembly, relating generally to the powers and duties of said Bureau, providing generally for the appointment and tenure of the Director and other employees thereof and providing for the studies, reports and publications of the said Bureau and of the duties of certain officials of the several political subdivisions in relation thereto.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 122 to 129, inclusive, of Article 41 of the Annotated Code of Maryland (1951 Edition), title "Governor-Executive and Administrative Departments," sub-title "Department of Legislative Reference," sub-heading "Fiscal Research Bureau," be and they are hereby repealed and that eight new sections be and they are hereby enacted in lieu thereof, to be added to Article 40 of said Code, title "General Assembly," said new sections to be known as Sections 42 to 49, inclusive, to follow immediately after Section 41 thereof, to be under the new sub-title "Fiscal Research Bureau," and to read as follows:

FISCAL RESEARCH BUREAU

There is hereby created and established as a department of the State government operating under the General Assembly an agency to be known as the State Fiscal Research Bureau. It shall be the function of this Bureau...
to collect, tabulate, and publish comprehensive data on the
5 taxable basis, revenue yield and expenditures of each in-
6 corporated town and city and each county within the State;
7 to conduct and make such special investigations, studies
8 and reports relating to all matters involving State and
9 local taxation as the General Assembly or Legislative Coun-
10 cil may direct; to conduct and make a continuing study
11 of studies of State and local fiscal relations and the fiscal
12 relationships of the State and the various departments,
13 commissions, boards, divisions and units of the State gov-
14 ernment and their personnel, as well as State institutions
15 and plants and their operation; to assist the General As-
16 sembly, the Legislative Council or any standing or special
17 committee of the Senate or House of Delegates to study
18 questions on taxation, and related matters; to exchange
19 information relating to taxation and related matters with
20 other State agencies or with agencies of the Federal Gov-
21 ernment; and to make such other special studies, investi-
22 gations and reports as the General Assembly, the Legisla-
23 tive Council or legislative committees may direct.

43. The State Fiscal Research Bureau shall have a Di-
1 rector who shall be appointed by a Board composed of the
2 President of the State Senate, the Speaker of the Mary-
3 land House of Delegates, the President of Johns Hopkins
4 University, and the Dean of the Law School of the Univer-
5 sity of Maryland; provided, however, that the Director of
6 the State Fiscal Research Bureau as of the effective date of
7 this Act shall become Director of the State Fiscal Research
8 Bureau under the provisions of this act notwithstanding
9 the method of selection specified herein. The Director shall
10 be a person who has had prior experience or training in
11 research, statistical analysis and subjects relating to taxa-
12 tion generally and shall devote his entire time in perform-
13 ing and carrying out the various duties and assignments
14 of the State Fiscal Research Bureau as set forth in this
15 sub-title. The Director shall receive such annual salary
16 as shall be determined jointly by the President of the
17 Senate and the Speaker of the House.

44. The Director of the State Fiscal Research Bureau
1 shall hold office unless and until removed by the said Board,
2 which removal shall be only upon proof of inefficiency,
3 neglect of duty, misconduct in office or other cause, pro-
4 vided, however, that before any such Director may be re-
5 moved from office as aforesaid, he shall be given a copy
6 of the charges made against him and an opportunity of
7 being publicly heard in person or by counsel in his own
8 defense upon not less than ten days' notice.

45. The Director of the State Fiscal Research Bureau
1 shall have the power to employ on a temporary or per-
2 manent basis such officers, clerks, stenographers, research
3 assistants, accountants, and other employees as he may
4 deem necessary in order to perform the duties and exercise
5 the powers conferred upon the Bureau by the provisions
6 of this sub-title, subject to the provisions of Article 64A
7 of this Code. The State Fiscal Research Bureau shall be
8 supplied with all necessary books, papers, maps, charts,
9 stationery and all appliances and incidentals necessary for
10 the proper discharge of its duties as provided in this sub-
11 title, to be paid out of such funds as shall be provided in
12 the State Budget.
It shall be the duty of every Treasurer, or, if there be no Treasurer, of every other authorized financial officer of every county, municipal or public corporation, special district and/or political sub-division of this State, which has heretofore been or shall hereafter be authorized by any law or laws of this State to incur any indebtedness redeemable from the proceeds of any general or special tax or other levy, to file with the State Fiscal Research Bureau of the State of Maryland, at least once in each and every year, a comprehensive statement of the financial condition of said county, municipal or public corporation, special district and/or political sub-division, said statement to be in such form as may be prescribed by said Bureau and to disclose so much of the following information with regard to the financial condition of said county, municipal or public corporation, special district and/or political sub-division, as shall be applicable thereto:

(a) The assessed valuation of all taxable and tangible property;
(b) The total indebtedness, which shall be sub-divided into (1) bonded indebtedness redeemable from the proceeds of general and ad valorem taxes, (2) self-liquidating bonded indebtedness, specifying the amount of the indebtedness for each such self-liquidating project and the source of revenue for the liquidation of such indebtedness, (3) temporary or floating indebtedness and/or obligations incurred in anticipation of tax collections, (4) current bills payable, (5) any contingent liabilities resulting from the guarantee of any of the obligations of some other political sub-division or public corporation of this State; (c) A statement as to any sinking funds maintained for the retirement of any bonded indebtedness or other obligations, showing the amount thereof, how such funds are invested, and the obligations for which such sinking funds were established; (d) The amount of the tax levy for the fiscal year for which such statement is made, together with the amount of such levy actually collected, itemizing separately the amount of any special assessments levied and the amount thereof collected; (e) The tax levies for the three fiscal years next preceding the fiscal year for which the statement is made, together with the amount of the uncollected taxes still outstanding for each such fiscal year; (f) The population according to the most recent Federal census together with any official or unofficial estimates of the population for the year in which the statement is made; (g) Such other information with regard to the financial affairs of any such county, municipal or public corporation, special district and/or political sub-division, as may seem to the State Fiscal Research Bureau to be pertinent to any of the foregoing or as may seem to said Bureau to be appropriate and necessary in order to show accurately the true financial condition of any such county, municipal or public corporation, special district and/or political sub-division.

It shall be the duty of the Director of the State Fiscal Research Bureau continuously to conduct studies of the operation, administration, personnel, physical plants of all State Departments, institutions, authorities and agencies, including the General Assembly, and submit reports of such studies, with recommendations, if any, to the Governor, the General Assembly, and the Legislative Council.
48. The State Fiscal Research Bureau shall cause to be printed and shall have always available, copies of the form which it may prescribe for the statements of financial condition required by Section 46 of this Article, and shall cause the same to be distributed to the respective Treasurers or other authorized financial officers of the several counties, municipal or public corporations, special districts and/or political subdivisions of this State, at or before the end of the fiscal year of each of the said counties, municipal or public corporations, special districts and/or political subdivisions. The State Fiscal Research Bureau may alter from time to time said form and may make such changes therein as may seem to it in its discretion to effectuate the purposes of this sub-title. Said statements of Financial Condition shall be compiled as of the last day of each and every fiscal year of any said county, municipal or public corporation, special district and/or political subdivision, as said Treasurer or, if there be no Treasurer, by the authorized financial officer thereof, and upon completion of said Statement, said Treasurer or other authorized financial officer shall make affidavit thereto, and said Treasurer or other authorized financial officer shall within one hundred twenty days after the end of the fiscal year for which said Statement is made file the same with the State Fiscal Research Bureau as hereinafore required. Upon the receipt of any such Statement of Financial Condition, properly executed, the State Fiscal Research Bureau shall examine the same, and upon being satisfied that said Statement of Financial Condition complies with the provisions of this sub-title, it shall file said Statement of Financial Condition in a special file reserved for such Statements, which shall be at all times available for inspection by any resident of the State of Maryland. Any person may request a certified copy of any of the Statements of Financial Condition so filed, and upon prepayment of a fee of Two Dollars, the State Fiscal Research Bureau shall cause such certified copy to be prepared and delivered to the person making such request.

49. Each of the said Treasurers or other authorized financial officers subject to the provisions of this sub-title shall be personally liable to a penalty, collectible in the name of the State of Maryland in the amount of Ten Dollars a day, for every day or fraction thereof, after the lapse of the time limit prescribed by Section 48 of this Article, said Treasurer or other authorized financial officer shall be in default in the filing of the Statement of Financial Condition required by Section 46 of this Article, but if such statement shall, in the opinion of the State Fiscal Research Bureau, be incomplete or inadequate, then the State Fiscal Research Bureau shall give notice by registered mail to such Treasurer or other authorized financial officer, of the items where said statement is incomplete or inadequate, and if such Treasurer or other financial officer shall not within fifteen days from the date of said notice file a complete and adequate statement, he shall be deemed in default and liable to the penalty herein prescribed.

Sec. 2. And be it further enacted, That this Act shall take effect July 1, 1963.
AN ACT to repeal Sections 54 to 56, inclusive, of Article 101 of the Annotated Code of Maryland (1951 Edition) title "Workmen's Compensation", sub-title "Safety Rules", to repeal Sections 164 to 177, inclusive of Article 48 of said Code, title "Inspections", sub-title "Boiler Rules"; to repeal and re-enact, with amendments, Section 478 of Article 66C of said Code, title "Natural Resources", sub-title "Mining," sub-heading "Bureau of Mines"; to enact 19 new sections to be added to Article 89 of said Code, title "Department of Labor and Industry" to be known as Sections 16 to 34, inclusive, to follow immediately after Section 15 of said Article and to be under the new sub-title "Safety", to repeal and re-enact, with amendments, Section 2 of said Article 89, and to enact a new section in Article 101 of said Code, title "Workmen's Compensation" to be known as Section 68A and to follow immediately after Section 68 of said Article; providing for the abolition of the Board of Boiler Rules, and transferring the functions of that agency, together with the Bureau of Mines and the safety functions of the State Industrial Accident Commission, to the Department of Labor and Industry and providing for a broad program of safety to be administered by the Department of Labor and Industry.

1 SECTION 1. Be it enacted by the General Assembly of Maryland. That Sections 54 to 56, inclusive of Article 101 of the Annotated Code of Maryland (1951 Edition) title "Workmen's Compensation", sub-title "Safety Rules" be and the same are hereby repealed.

1 Sec. 2. And be it further enacted, That Sections 164 to 177, inclusive of Article 48 of said Code, title "Inspections", sub-title "Boiler Rules", be and the same are hereby repealed.

1 Sec. 3. And be it further enacted, That Section 478 of Article 66C of said Code, title "Natural Resources", sub-
title "Mining", sub-heading "Bureau of Mines" be and the
same is hereby repealed and re-enacted, with amendments,
to read as follows:

478. There is hereby created under the Department of
[Geology, Mines and Water Resources] Labor and In-
dustry a Bureau to be known as the "Bureau of Mines",
hereinafter referred to as the Bureau. The main office
of the Bureau shall be located in either Garrett or Allegany
County. The precise location shall be selected by the Di-
rector of the Bureau of Mines with the approval of the
Governor. Whenever in this Article the Bureau of Mines
is mentioned, it shall be construed to be under the Depart-
ment of Labor and Industry.

SBC 4. And be it further enacted, That 19 new sec-
tions be added to Article 89 of said Code, title "Depart-
ment of Labor and Industry" to be known as Sections 16
to 34, inclusive, to follow immediately after Section 15
of said Article and to be under the new sub-title "Safety",
and to read as follows:

16. (a) The Department of Labor and Industry is hereby
authorized and directed to formulate reasonable rules and
regulations looking to the establishment and maintenance
of conditions of safety and to the prevention of occupa-
tional accidents.

(b) The Department is hereby authorized and empowered
to employ a competent and discreet person who shall be
known as Director of Safety, and not more than five addi-
tional persons as inspectors, the said employees to perform
such duties as may be required of them by the Depart-
ment, and to receive such salaries as may be provided
for them by the budget. No person shall be eligible for
appointment as Director of Safety unless he shall have
had at least five years' experience in safety engineering
work.

17. Any person, firm or corporation who shall fail or
refuse to comply with any rule or regulation which may
be promulgated by the Department of Labor and Industry
pursuant to the powers conferred upon it by Section 16
of this Article shall, upon conviction thereof, be deemed
guilty of a misdemeanor, and subject to a fine of not less
than Fifty Dollars ($50.00) nor more than Five Hundred
Dollars ($500.00).

18. (a) The Commissioner, the Director of Safety, the
inspectors appointed in pursuance of the provisions of this
sub-title or any other person authorized to do so by the
Department of Labor and Industry shall have free access
during regular business hours to all places of employment
covered by the Workmen's Compensation Article of this
Code and shall have full power and authority to inspect
such places of employment including the right to enter
upon such places or any part thereof for the purpose of
obtaining information relating to safety, investigating the
provisions made therein for the safety of employees and
other persons, and bringing to the attention of the em-
ployers or other persons in possession of such premises
any provision of law or any order or rule of the Depart-
ment of Labor and Industry relating to safety methods
or appliances. Any employer, owner or other person who
shall refuse admittance to any place of employment as herein provided or in any manner interfere with the Commissioner, Director of Safety, the inspectors appointed hereunder or any other person authorized by the Department in making inspections or investigations hereunder;

shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be liable to a fine of not less than Fifty Dollars ($50.00) nor more than Five Hundred Dollars ($500.00).

(b) The cost of administering the occupational safety program provided for in Sections 16 to 19, inclusive of this Article shall be borne by the State Industrial Accident Commission, as provided in the Budget from time to time.

19. The provisions of Sections 16 to 18, inclusive, of this Article shall apply to corporations subject to the jurisdiction of the Public Service Commission and to the Employees thereof as well as to other employers and employees.

20. The Department shall formulate rules and regulations for the safe and proper construction, installation, repair and use of boilers in this State. The word "boiler" as mentioned herein shall be construed to be a closed vessel in which steam or vapor (to be used externally to itself) is generated by the application of heat. The rules and regulations so formulated shall conform as nearly as possible to the boiler code of the American Society of Mechanical Engineers, and amendments and interpretations thereto made and approved by the Council of the Society.

21. The present State Boiler Inspectors shall be retained in their positions without further examination or qualification.

The Senior Boiler Inspector shall be the Chief Boiler Inspector. At any time thereafter the office of the Chief Inspector shall become vacant the Employment Commissioner shall, as soon as practical, conduct a competitive promotional examination open to the employees of the Boiler Inspection Department only, who shall have had at the time of taking the competitive examination for Chief Boiler Inspector not less than ten years practical experience in the design, construction or operation of high pressure boilers as a mechanical engineer, steam engineer, boiler-maker or boiler inspector.

The examination for the position of Chief Boiler Inspector shall be the same as or equivalent to that given for special inspectors in Section 25 of this Article.

The Commissioner of Labor and Industry with the approval of the Governor shall appoint from the successful candidates a Chief Boiler Inspector.

22. This sub-title shall not apply to boilers under Federal control, or to boilers of steam fire engines brought into the State for temporary use in times of emergency, or to portable boilers used for agricultural purposes only, or to steam heating boilers carrying not more than fifteen pounds pressure, or to hot water boilers carrying a pressure not exceeding 160 pounds or a temperature not exceeding 250 degrees Fahrenheit, or to stationary boilers used on dairy farms in Montgomery County not at a capacity of five horse-power or less.
The Department of Labor and Industry is hereby charged, directed and empowered to employ, subject to the approval of the Governor, deputy inspectors who shall have passed the examination provided for in Section 25 of this Article.

The Chief Boiler Inspector and his deputy inspectors shall have free access, during reasonable hours, to any premises in the State where a boiler is being constructed or installed or operated in accordance with the provisions of Section 20 of this Article.

The Department shall enforce the provisions of the laws, rules and regulations relating to boilers and prosecute all violators thereof and may issue, suspend and revoke inspection certificates allowing boilers to be operated.

The Department shall keep a complete record of the type, dimensions, age, conditions, pressure allowed upon, location and date of the last inspection of all boilers subject to its jurisdiction. The records and equipment of the Board of Boiler Rules, which Board is hereby abolished, are hereby transferred to the Department of Labor and Industry.

The Department shall publish and distribute copies of rules and regulations relating to safety, to manufacturers and others requesting them.

In addition to the deputy boiler inspectors authorized by Section 22, the Chief Inspector shall, upon the request of any authorized to insure against loss from explosion of boilers in this State, issue to any boiler inspectors of said company commissions as special inspectors, provided that each inspector before receiving his commission shall pass satisfactorily the examination provided for in Section 25 or, in lieu of such examination shall hold a certificate of competency as an inspector of boilers for a state that has a standard of examination substantially equal to that of the State of Maryland or a certificate as an inspector of boilers from the National Board of Boiler and Pressure Inspectors. Such special inspectors shall receive no salary from nor shall any of their expenses be paid by the State, and the continuance of a special inspector's commission shall be conditioned upon his continuing in the employ of a boiler inspection and insurance company duly authorized as aforesaid, and upon his maintenance of the standards imposed by this sub-title. Such special inspectors shall inspect all boilers insured by their respective companies, and the owners or users of such insured boilers shall be exempt from the payment of inspection fees, as provided for in Section 29. Each company employing such special inspectors shall within thirty days following each annual internal inspection made by such inspectors file a report of such inspection with the chief inspector upon appropriate forms as promulgated by the American Society of Mechanical Engineers.

Examinations for deputy inspectors shall be given by the State Employment Commissioner and the special inspector's examination shall be given by the Department of Labor and Industry, or by at least two examiners to be appointed by said Department and must be in writing. Such examinations shall be confined to questions the answers to which will aid in determining the fitness and competency of the applicant for the intended service and
shall be of uniform grade throughout the State. In case an applicant for an inspector's appointment or commission fails to pass the examination, he may appeal to the Department of Labor and Industry for a second examination which shall be given by said Department or, if by examiners appointed by said Department, then by examiners other than those by whom the first examination was given, and these examiners shall be appointed forthwith to give said second examination. Upon the result of this examination on appeal, the Department shall determine whether the applicant be qualified. The record of an applicant's examination, whether original or on appeal, shall be accessible to him and his employer.

(b) A commission may be suspended or revoked by the Chief Inspector of boilers for the incompetence or untrustworthiness of the holder thereof, or for wilful falsification of any matter or statement contained in his application or in a report of any inspection. A person whose commission is revoked may appeal from the revocation to the Department of Labor and Industry which shall hear the appeal and either set aside or affirm the revocation, and its decision shall be final. A person whose commission has been revoked shall be entitled to be present in person by counsel on the hearing of the appeal. If a certificate or commission is lost or destroyed, a new certificate or commission shall be issued in its place without another examination. A person who has failed to pass the examination for a commission or whose commission has been revoked except for untrustworthiness shall be entitled to apply for a new examination and commission after ninety days from such failure or revocation.

26. (a) On and after June 1, 1939, each boiler used or proposed to be used within this State, except boilers exempt under Section 22, shall be inspected annually internally and externally while not under pressure by the Chief Inspector or by one of the deputy inspectors or special inspectors provided for herein as to its construction, installation, condition and operation. If at any time a hydrostatic test shall be deemed necessary to determine the safety of a boiler, same shall be made, at the direction of the inspector, by the owner or user thereof. Not more than fourteen months shall elapse between internal inspections, and external inspections while under pressure shall also be made at no greater intervals.

(b) If a boiler shall upon inspection be found to be suitable, and conform to the rules and regulations of the Department of Labor and Industry, the owner or user thereof shall pay to the Chief Inspector and to be collected by him the sum of One Dollar ($1.00) and the Chief Inspector shall issue to such owner or user an inspection certificate specifying the maximum pressure which the boiler may be allowed to carry. Such inspection certificate shall be valid for not more than fourteen months from its date and it shall be posted under glass in the room containing such boiler or in the case of a portable boiler, in a metallic case to be kept in the toolbox accompanying the boiler. No inspection certificate issued for a boiler inspected by a special inspector shall be valid after the boiler for which it was issued shall cease to be insured by a duly authorized insurance company. The Chief Inspector or any deputy inspector may at any time suspend an inspection certificate when,
in his opinion, the boiler for which it was issued may not
continue to be operated without menace to the public safety
or when the boiler is found not to comply with the rules
herein provided for, and a special inspector shall have cor-
responding powers with respect to inspection certificates
for boilers insured by the company employing him. Such
suspension of an inspection certificate shall continue in
effect until such boiler shall have been made to conform to
the rules and regulations of the Department of Labor and
Industry and until said inspection certificate shall have
been reinstated.

27. On and after June 1, 1939, it shall be unlawful for
any person, firm, partnership or corporation to operate
under pressure in this state a boiler to which this sub—title
applies without a valid inspection certificate, as provided
for in this sub-title. The operation of a boiler without such
inspection certificate or at a pressure exceeding that speci-
fied in such inspection certificate shall constitute a mis-
demeanor on the part of the owner, or user or operator
thereof and be punishable by a fine not exceeding One
Hundred Dollars ($100.00), or imprisonment not to exceed
30 days or both, at the discretion of the court. Each day
of such unlawful operation shall be deemed a separate
offense.

28. (a) No boiler which does not conform to the rules and
regulations formulated by the Department of Labor and
Industry governing new installations shall be installed in
the State after three months from July 1, 1953.

(b) All boilers installed and ready for use, or being used,
before the said three months shall have elapsed shall be
made to conform to the rules and regulations of the Depart-
ment of Labor and Industry governing existing installa-
tions, and the formulae therein prescribed shall be used in
determining the maximum allowable working pressure of
such boilers.

(c) All boilers to be installed after three months from
July 1, 1953, shall be inspected during construction by an
inspector authorized to inspect boilers in this State, or if
constructed outside the State by an inspector holding a
certificate from the National—Board—of—Boiler and Pressure
Vessel Inspectors, as provided in Section 24 or a certificate
of authority from the Chief Inspector of this State, which
certificate shall be issued by the said Chief Inspector to any
inspector who holds a certificate of authority to inspect
boilers, issued by a state which shall have adopted boiler
rules that require standards of construction and operation
substantially equal to those of this State.

29. The owner or user of a boiler required by this sub-
title to be inspected by the Chief Boiler Inspector, or his
deputy inspectors, shall pay to the Chief Inspector Eight
Dollars ($8.00) for each high pressure boiler except mini-
ture boilers, internally inspected; Three Dollars ($3.00)
for each high pressure boiler except miniature boilers, ex-
ternally inspected while under pressure; Two and 50/100
Dollars ($2.50) for each miniature boiler internally in-
spected; provided that not more than Eleven Dollars
($11.00) shall be collected for such inspections of any high
pressure boiler, made for any one year. The Chief In-
spector shall give receipts for said fees and shall pay all
The inspection of second hand boilers by the Chief Inspector or his deputies shall be at the rate of Twenty Dollars ($20.00) per day or part thereof, and his expenses, for the first boiler inspected and Ten Dollars ($10.00) for each additional boiler inspected for the same owner or user when inspected on the same trip.

31. The powers and duties of the Department of Labor and Industry provided in Sections 16 to 18, inclusive, of this Article, shall apply to employment for the State of Maryland as well as other employment covered by the Workmen's Compensation Article of this Code. The Department shall also administer a general safety program for employees of the State of Maryland for the purpose of assisting the various agencies and institutions of the State in maintenance of safe working conditions and practices.

32. Wherever and to the extent the Department shall deem it feasible, the Department is hereby authorized and empowered to delegate to the City of Baltimore responsibility for safety regulation, inspection and enforcement within the territorial boundaries of the City. Such delegation may extend to the powers and duties set forth in Section 31 of this Article.

33. The Department shall have jurisdiction over the Bureau of Mines as the same is constituted in Article 66C of this Code, title “Natural Resources”.

34. The Department of Labor and Industry is hereby authorized and empowered to establish review committees in the various fields of technical regulation to advise the Department on the adoption or amendment of safety codes, such committees to sit to hear appeals from departmental action ordering code compliance. The decision of such committees on such appeal from departmental action shall be final unless either the Department or other party aggrieved by such decision shall within twenty days after receipt of notice of such decision file a further appeal to the Circuit Court of any county or the Baltimore City Court, as the case may be, where the safety problem at issue lies.

SEC. 5. And be it further enacted, That Section 2 of Article 89 of said Code, title “Department of Labor and Industry” be repealed and re-enacted, with amendments, to read as follows:

2. It shall be the duty of the said Commissioner:

1st. To collect statistics concerning and examine into
the condition of labor in this State, with especial reference
to wages, and the causes of strikes and disagreements be-
tween employers and employees.

2nd. To collect information in regard to the agricul-
tural conditions and products of the several counties of
the State, the acreage under cultivation and planted to
the various crops, the character and price of lands, the
live stock, et cetera, and all other matters pertaining to
agricultural pursuits, which may be of general interest
and calculated to attract immigration to the State.

3rd. To collect information in regard to the mineral
products of the State, the output of mines, quarries and
so forth, and the manufacturing industries.

4th. To collect information in regard to railroads and
other transportation companies, shipping and commerce.

5th. To keep a bureau of general information, and to
this end all officers and institutions of this State, including
officers of the General Assembly, are directed to trans-
mit to the Commissioner of the Department of Labor and
Industry all reports, as soon as published.

6th. To classify and arrange the information and data
so obtained, and as soon as practicable after entering upon
the duties of its office, publish the same in substantial book
form and annually thereafter: revise and republish the
same.

7th. To make rules and regulations and enforce all laws
relating to occupational safety; to conduct investigations
and collect information relating to occupational safety and
generally to promote safety as hereinafter provided.

SEC. 6. And be it further enacted, That a new section
be added to Article 101 of said Code, title “Workmen’s
Compensation,” to be known as Section 68A, to follow im-
mediately after Section 68 of said Article and to read as
follows:

68A. The Industrial Accident Commission is hereby au-
thorized and empowered to pay the costs of administering
the occupational safety program provided in Sections 16
to 19, inclusive, of Article 89 of this Code, title “Depart-
ment of Labor and Industry,”

SEC. 7. And be it further enacted, That the staff, equip-
ment, records and property of the Safety Department of
the Industrial Accident Commission are hereby transfer-
red to the Department of Labor and Industry. The person-
nel hereby transferred from said Commission to the De-
partment of Labor and Industry shall have the same status
as all other merit system employees originally hired by
the Department of Labor and Industry, and the equip-
ment, records and property of said Commission hereby
transferred to the Department of Labor and Industry shall
be treated as if originally procured or obtained by the
Department of Labor and Industry.

SEC. 8. And be it further enacted, That this Act shall
take effect July 1, 1953.
31A

Explanation

This bill is recommended by Senator John Grason Turnbull of Baltimore County on the suggestion of the late Judge Robert France of the Supreme Bench of Baltimore City. It would provide that when money is payable to a minor or an incompetent as the result of litigation, the court may supervise and control the spending of the money in order to protect the interest of the minor or incompetent from irresponsible persons otherwise having the handling of these funds. Senator Turnbull points out that without such legislation the parents or the guardian of either the minor or the incompetent may spend the money without proper regard for the welfare of the child or the incompetent to whom the money actually belongs as a result of the litigation.

Item No. 81

A BILL

ENTITLED

AN ACT to add a new section to Article 75 of the Annotated Code of Maryland (1951 Edition) title “Pleadings, Practice and Process at Law,” said new section to be known as Section 98A, to follow immediately after Section 98 thereof and to be under the new sub-title “Monies Payable to Infants and Incompentents,” providing that no action to which a minor or an incompetent is a party shall be compromised, settled or discontinued except upon approval of the Court and providing further for the continuing supervision by the Court of the terms of any compromise or settlement made for the minor or incompetent.

SECTION 1. Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 75 of the Annotated Code of Maryland (1951 Edition), title “Pleadings, Practice and Process at Law, said new section to be known as Section 98A, to follow immediately after Section 98 thereof, to be under the new sub-title “Monies Payable to Infants and Incompentents,” and to read as follows:

Monies Payable to Infant and Incompentents

98A. (a). No action to which a minor or an incompetent is a party shall be compromised, settled or discontinued except after approval by the Court pursuant to a petition presented by any party in interest.

(b). When a compromise or settlement has been approved by the Court or when a judgment has been entered upon a verdict or by agreement, the Court, upon petition by the guardian or the guardian ad litem or any party to the action or upon its own motion shall make an order approving or disapproving any agreement entered into by the guardian or the guardian ad litem for the payment of counsel fees and other expenses out of the funds created by the compromise settlement or judgment; or the Court may make such order as it deems proper fixing counsel fees and other
proper expenses. The Court shall then order the balance of the fund to be paid to the guardian of the estate of the minor or the incompetent qualified to receive the fund. If the minor has no such guardian and the balance does not exceed $2500, the Court may authorize the balance to be paid to the guardian of the person, the natural guardian, the person by whom the minor is maintained or the minor. If the incompetent has no such guardian and the balance does not exceed $2500, the Court may authorize the balance to be paid to the guardian of the person or the person or agency by whom the incompetent is maintained.

(c). When a judgment has been entered in favor of the minor plaintiff or of an incompetent plaintiff and no petition has been filed under the provisions of Sub-section (b) of this section, the amount of the judgment shall be paid only to the guardian of the estate of the minor or of the incompetent qualified to receive the fund. If the minor or incompetent has no such guardian and the judgment does not exceed the sum of $2500, the Court upon its own motion or upon the petition of any person may authorize the amount of the judgment payable to the minor to be paid to the guardian of the person, the natural guardian, the person by whom the minor is maintained or the minor; or may authorize the amount of the judgment to be paid to the incompetent, to be paid to the guardian of the person or the person or agency by whom the incompetent is maintained.

(d). Nothing contained in this section shall prevent the payment in the Court of any money by the defendant.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
This bill is recommended by the Commission on Administrative Organization of the State. It sets up a Parole Board and describes its functions and duties. It would relieve the Board of Corrections of non-policy-making and administrative functions, would provide that the Chairman of the Board of Correction be an unpaid officer, and make other changes in the penal and parole administration.

(Item No. 551)

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Sections 754, 755, 763, 794, 795 and 797 of Article 27 of the Annotated Code of Maryland (1951 Edition), title "Crimes and Punishments," sub-title "Department of Correction," to repeal Sections 762 and 766 of said Article, and to add a new section to said Article and Sub-title, said new section to be known as Section 756A and to follow immediately after Section 756 thereof; to repeal Sections 92, 93, 94, 95 and 102 of Article 41 of said Code, title "Governor—Executive and Administrative Departments," sub-title "Department of Parole and Probation," to repeal and re-enact, with amendments, Sections 91(e), 99, 100, 101 and 103 of said Article and Sub-title, and to add Sections 91A to 91L, inclusive, to said Article and sub-title, said new sections to follow immediately after Section 91 of said Article and sub-title, relating generally to the correctional and parole administration and procedure of this State.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 754, 755, 763, 794, 795 and 797 of Article 27 of the Annotated Code of Maryland (1951 Edition), title "Crimes and Punishments," sub-title "Department of Correction," be and they are hereby repealed and re-enacted, with amendments, and that a new section 756A be and it is hereby added to said Article and sub-title, to follow immediately after Section 756 thereof, and to repeal and re-enact, with amendments, Sections 91(e), 99, 100, 101 and 103 of Article 41 of said Code, title "Governor—Executive and Administrative Departments," sub-title "Department of Parole and Probation," and to add Sections 91A to 91L, inclusive, to said Article and sub-title, said new sections to follow immediately after Section 91 thereof, and all to read as follows:

91. (e) A parole is a conditional release from imprisonment, granted by the Board of Parole and Probation to any of certain classes of prisoners in any adult penal or correctional institution of this State,
in the manner provided for in this sub-title. A parole
shall be evidenced by an order in writing, and entitles the
recipient thereof to leave the institution in which he was
imprisoned, and to serve the remainder of his term outside
the confines thereof if he shall satisfactorily comply with
all the terms and conditions provided in the parole order.
Each such paroled prisoner shall be deemed to remain in
legal custody until the expiration of his full, undiminished
term; and upon having violated the conditions of his
parole, shall be remanded to the institution from which
he was paroled.

91A. There is hereby created a Department of Parole
and Probation, the head of which shall be the Board of
Parole and Probation as hereinafter constituted. The
Chairman of such Board shall be the Director of Parole and
Probation. The Director shall have the authority to assign
to the associate members of the Board such administrative
and other duties as he may, from time to time, deem appro-
priate.

91B. A Board of Parole and Probation, hereinafter re-
ferred to as the “Board” is hereby established. It shall be
composed of a Chairman and two associates, all of whom
shall be residents of the State, appointed by the Governor
without regard to political affiliations for terms of six
years, except that of the members initially appointed under
the provisions of this Act, the Chairman shall be appointed
for a term of six years and the associate members for terms
of four years and two years, respectively. The Governor
can remove any member of the Board for disability, neglect of duty, malfeasance in office or misconduct, giving
any such member a copy of the charges preferred and the
opportunity of being first publicly heard in person or by
council. If such member shall be removed, the Governor
shall file in the Office of the Secretary of State a complete
statement of all charges made against such member, and
his findings thereof, together with a complete record of the
proceedings. A vacancy on the Board shall be filled by the
Governor for the unexpired portion of the term of the
vacant office. The Chairman of the Board shall receive an
annual salary and the members compensation as provided
in the Budget.

91C. Board members shall be persons of good character
and qualified by temperament, training and experience to
perform the duties and responsibilities set forth in this Act.

91D. The Board shall have the exclusive power, through
the action of at least two of its members to recommend to
the Governor the parole of persons sentenced under the
laws of this State, to any penal institution therein. It shall
also have the power to issue warrants for the return to
custody of alleged violators of parole and to suspend or
revoke a parole upon a showing of a violation of the con-
ditions thereof.

91E. It shall be the duty of the Board of Parole and
Probation:

(1) To consider the circumstances surrounding the
crime, and the physical, mental and moral qualifications
of persons who become eligible for parole;
(2) To determine whether there is reasonable probability that the prisoner, if released on parole, will remain at liberty without violating the laws, and whether the release of the prisoner on parole is compatible with the welfare of society;

(3) To recommend the parole of prisoners suitable for release;

(4) To keep informed of the activities of prisoners released upon parole and issue warrants for the retaking of parolees who are reported to have violated the conditions of parole or who have committed a new offense against the law;

(5) To make such investigations and prepare such reports and recommendations as may be required by the Governor concerning persons who make application for pardon or commutation of sentence or clemency or who have been granted such pardon, commutation of sentence, clemency or conditional pardon.

91F. For the performance of its duties, the Board shall conduct hearings, at least each month, at the institutions under the supervision and control of the Department of Correction to persons who are eligible for parole consideration under law.

91G. Any parole officer or sheriff or police officer authorized to serve criminal process to whom a warrant for the retaking of an alleged parole violator shall be delivered is authorized and required to execute such warrant by taking such parolee and returning him to the penal or correctional institution designated by the Department of Correction.

91H. Whenever a prisoner released on parole is retaken, he shall, at the next meeting of the Board of Parole and Probation at the institution designated for the return of the parolee, be given an opportunity to appear before the Board or a member thereof. The Board may then or within a reasonable time thereafter revoke the order of parole and terminate the conditions thereof. If the order of parole is revoked, the prisoner shall serve the remainder of the sentence originally imposed without credit for the time spent in the community under parole supervision except that said Board may, in its discretion, grant credit for time spent in the community under parole supervision or for such part thereof as to the Board may seem just and fair under the circumstances. The Board may again parole the returned parolee if, in the opinion of the Board, he merits such consideration.

91I. In order to promote cooperation and coordination between the Department of Parole and Probation and the Department of Correction, the Director of Parole and Probation shall be ex-officio a member of the Board of Correction.

91J. Upon a majority vote of its members, the Board of Paroles and Probation may adopt rules and regulations for the conduct of the Department, the granting, refusal and revocation of paroles, the discharge of parolees from further supervision before the expiration of their maximum sentences, and the making of reports or recommenda-
7 tions to the Governor in connection with paroles or appli-
8 cations for commutation of sentence or pardon. In the
9 event a parolee is discharged from further supervision be-
10 fore the maximum expiration of his sentence, his parole
11 nevertheless may thereafter be suspended or revoked by
12 said Board for proper cause at any time during the period
13 of such maximum sentence, and such parolee may in such
14 case be required to serve the remainder of his original sen-
15 tence, with such credit for time spent in the community
16 since his release on parole as may be determined by said
17 Board.
18
19 91K. The Board shall maintain a record of its actions,
20 make an annual report of its work to the Governor, and
21 make such recommendations for the improvement of its
22 functions as may be appropriate.
23
24 91L. The Board of Parole and Probation shall appoint
25 such staff and other employees as may be necessary to assist
26 them in the performance of their duties. Such staff and
27 employees shall be subject to the provisions of Article 64A
28 of this Code, title "Merit System."
29
30 99. The members of the Board of Parole and Probation
31 and all of the duly qualified officers and agents of the
32 [Division] Department of Parole and Probation shall have
33 and are hereby given visitatorial powers over all institutions
34 to which any person may be committed upon a criminal
35 charge, whether such institution be a State, County, or
36 City institution; and the said [Director] members of said
37 Board of Parole and Probation shall have power to summon
38 any witness including any prisoner confined in any State,
39 County, or City institution, before [him] them, and to
40 administer oaths or affirmations to such witness wherever,
41 in the judgment of the said [Director] members of said
42 Board, it may be necessary for the effectual discharge of
43 [his] their duties under this sub-title. Any person failing
44 to appear before said [Director] members of said Board of
45 Parole and Probation at the time and place specified,
46 in answer to said summons, personally served upon said
47 witness, or refusing to testify, shall be punishable by a
48 fine of not less than Twenty-five Dollars nor more than
49 One Hundred Dollars; false swearing of any witness testifying before said [Director] members of said Board of Parole and Probation on a material matter to
50 inquiry shall be deemed perjury.
51
52 100. (a) It shall be the duty of the [Director] Board of
53 Parole and Probation of [his] its own initiative to cause
54 to be made such investigation as may enable him to deter-
55 mine the advisability of granting parole to persons sen-
56 tenced under the laws of this State, to any penal institution
57 therein [for a term or terms totaling one year or more].
58
59 (b) Whenever, upon having completed such investigation
60 the said [Director] Board of Parole and Probation shall be
61 of the opinion that both the interests of the State and of
62 any prisoner [serving a term or terms totaling one year
63 or more.] would be best subserved by the release of said
64 prisoner on parole, and that there is reasonable probability
65 that, if such prisoner is released, he will remain at liberty
66 without violating the law, it shall be the duty of the Di-
67 rector of Parole and Probation to recommend to the Gov-
68 ernor, who is hereby vested with the authority and power
to issue and grant paroles when in his judgment deemed advisable, that the Governor grant a parole to such prisoner upon such terms and conditions as may be reasonable and proper [provided, however, that no prisoner sentenced for a term or terms totaling one year or more be released on parole before having served in confinement one-third of such term or consecutive terms, and that no] No person who has been sentenced to life imprisonment shall be eligible for parole consideration until he shall have served in confinement fifteen years.

101. [The Director of Parole and Probation and any of his duly qualified officers and agents are authorized and empowered to arrest any paroled prisoner who has violated any of the terms or conditions of his parole.

If any parole officer shall have reasonable cause to believe that any paroled prisoner has violated the conditions of his parole in any important respect, the said parole officer shall report such fact to the Director of Parole and Probation, who, thereupon shall issue a warrant for the retaking of such paroled prisoner and his return to the institution from whence he was paroled.

Whenever the Director of Parole and Probation shall issue a warrant for the retaking of any paroled prisoner, he shall within a reasonable time thereafter conduct at any convenient place a hearing to determine whether or not the parole issued to such paroled prisoner shall be revoked. If the alleged violator of parole shall be within this State, he shall be given an opportunity to appear personally and explain the charges made against him. If the Director of Parole and Probation shall find that the said paroled prisoner has in fact violated his parole, he shall declare that such paroled prisoner has in fact violated his parole and shall issue an order in writing remanding him to the institution from which he was paroled, there to serve out the time owed on his original sentence calculated from the date of his release on parole, provided, however, that the said Director may, in his discretion, order such delinquent paroled prisoner to serve in prison the unexpired portion of his term calculated from his delinquent act rather than from the date of his release on parole.

Whenever any paroled prisoner shall be convicted of any crime committed while on parole, and shall be sentenced as a penalty therefor, to an additional period of incarceration in any institution within this State, the time to be served on the original term shall run consecutive to such new sentence, and be served in confinement prior to the beginning thereof of such new sentence, unless expressly ordered to the contrary by the judge imposing such new sentence. If the crime is committed in another State, the [Director] Board of Parole and Probation shall file with the Warden or Superintendent of the penal institution in such other state in which such paroled prisoner may be confined in penalty thereof, a declaration of violation of parole to serve as a detainer upon his release from such institution.

108. (a) Whenever the Circuit Court of any County or the Criminal Court of Baltimore City shall suspend the sentence of any person convicted of crime, and shall direct such
person to continue, for a certain time, or until otherwise
ordered, under the supervision of the [Director] Board
of Parole and Probation, it shall be the duty of the said
[Director] Board to supervise, when so requested by said
Chairman and associate, the conduct of such person and to ascertain and
report to said Court whether or not the conditions of such
probation or suspension of sentence are being faithfully
complied with by such person.

(b) The parole officers of the [Division] Board of Parole
and Probation shall whenever feasible be available to the
judges of the said Courts for the purpose of making pre-
sentence or other investigations or performing such other
probationary services as the said judges may from time to
time request.

754. The Department of Correction is hereby estab-
lished. The head of this Department shall be the Board
of Correction, consisting of the [Director of the Depart-
ment, who shall serve as the] Chairman of the Board, the
Director of Parole and Probation, ex officio, and six asso-
ciate members, who shall be appointed without regard to
political affiliation, who shall each be not less than thirty
years of age, interested and preferably experienced in
social welfare, and at least one of whom shall be a woman.
The [Director and] Chairman of the Board, and the
associate members thereof, shall all be appointed by the
Governor with the advice and consent of the Senate, [.]
except that the appointments first made hereunder shall be
made by the Governor alone on April 9, 1924, and these
terms of office shall begin then. The Director first ap-
pointed shall hold office until the first Monday of May,
1924, and until his successor has been appointed
and qualify, and thereafter the term of the Director shall
be four years. The associate members first appointed shall
be so classed by the Governor that the terms of office of
two shall expire on the first Monday of May, 1924, the
terms of office of two on the first Monday of May, 1926,
and the terms of office of two on the first Monday of May,
1928, and thereafter in each case the Governor, with the
advice and consent of the Senate, shall appoint two asso-
ciate members in the place of the two whose terms shall so
expire, and thereafter the terms of the associate members
shall be six years, respectively.] The Chairman and
Associate members of the Board shall serve for staggered
terms of four years; provided, however, the Chairman and
members of the Board holding office at the time of the
passage of this Act shall continue to serve their full terms.
Vacancies in said Board shall be filled by the Governor for
the unexpired term by and with the advice and consent of
the Senate. The Governor may remove any member of said
Board for inefficiency, neglect of duty or misconduct in
office, giving to such member a copy of the charges pre-
ferred and the opportunity of being first publicly heard
in person or by counsel. If such member shall be removed,
the Governor shall file in the office of the Secretary of State
a complete statement of all charges made against such
member, and his findings thereof, together with a com-
plete record of the proceedings. [The salary of the Di-
rector and Chairman shall be $4,000 per annum, and the
associate] The Chairman and associate members shall
serve without pay.
755. Before entering upon the discharge of the duties of his office, each member of said Board shall take an oath that he will well and faithfully execute and perform all and singular the duties appertaining to his office according to the laws of the State and the rules and regulations adopted in accordance therewith. The associate members of the Board of Correction shall not be required to give bond for the faithful performance of their duties, but the Director of Correction shall be required annually to give a corporate surety bond in such sum as the State Comptroller may prescribe, with condition that he faithfully perform the duties of his office and account for all funds received under color of his office. The Board of Correction shall have power to select a treasurer and such treasurer need not be a member of the Board of Correction. Any member of said Board, who shall fail to take oath and any official failing to give bond with security aforesaid within thirty days from the date of his appointment, or who shall fail to give a new bond with security aforesaid, shall be deemed to be guilty of neglect of duty and shall be removable as heretofore provided. The cost of any bond, given by any official under this section, shall be taken to be a part of the necessary expenses of said Board, and shall be payable as hereafter provided.

756A. The Board of Correction shall appoint a superintendent of Prisons, with the approval of the Board of Correction, which Superintendent of Prisons shall hold office at the pleasure of the Board. Such Superintendent of Prisons shall be the administrative officer of the Department, and his decisions shall not require approval of the Board unless policy-making is involved. Such Superintendent of Prisons shall appoint members of his staff who need not be approved by the Board, and who shall be removable only under the provisions of the Merit System.

768. The [Board of Correction] Superintendent of Prisons may whenever it deems it advisable to do so, transfer to said Reformatory from other penal institutions, male offenders of any age, and it shall have the power to transfer from said Reformatory to other institutions under its control male offenders sentenced to said Reformatory and found by said [Board] Superintendent of Prisons to be incorrigible and unmanageable, and who may be more safely cared for or trained in other institutions.

764. (a) When any person is convicted, before any Circuit Court of any County, or the Criminal Court of Baltimore, of any crime, committed on or after June 1, 1943, and punishable by any imprisonment whatsoever or by fine and imprisonment, (other than imprisonment in default of fine), said Court may, in its discretion, sentence such person to imprisonment in jail or in the Maryland House of Correction or in the Maryland Penitentiary. The term of such imprisonment in any of said institutions shall be in the discretion of the Court, unless a maximum term of im-
prisonment is prescribed by law, in which event the im-
prisonment imposed shall not exceed the maximum so-
fixed; provided, however, that no sentence to the Peniten-
tiary or House of Correction shall be for less than three
months; except that any sentence under Section 550 of this
Article may be imposed in accordance with the provisions
of said Section 550. Whenever the [Board of Correction]
Superintendent of Prisons shall determine that prison dis-
cipline will be furthered by transferring from the Mary-
land House of Correction to the Maryland Penitentiary,
or the Maryland State Reformatory for Males, or from any
one of the three said institutions to the other, any person
sentenced to either of said institutions for a crime com-
mitted after October 1, 1916, and shall issue [its] his
warrant to the Warden and Superintendent or wardens of
said institution directing such transfer, then the said sen-
tence of the Court shall operate to authorize such transfer
by virtue hereof. The power of transfer conferred upon
the [Board of Correction] Superintendent of Prisons by
this section shall authorize the said [Board] Superin-
ten dent of Prisons to transfer any person confined in any
of said institutions to any other of said institutions at any
time the said [Board] Superintendent of Prisons may, in
its discretion, determine that such transfer will improve
discipline or aid in the safekeeping, treatment, training,
employment or rehabilitation of such person.

(b) It is expressly provided, however, that nothing in this
section shall be construed to add to, alter or change the
class of crimes, as they existed before June 1, 1943, with
respect to the right of challenge or with respect to the fees
in criminal cases, or to make any crime infamous, by rea-
son of any sentence to the Maryland Penitentiary, or trans-
fer thereto, which would not have been an infamous crime
before June 1, 1943; and it is further provided that nothing
in this section shall be construed to prevent any Court
from committing any minor to any industrial school or
juvenile reformatory to which minors may now be com-
mitted under existing law, or from committing any female
offenders to the Maryland State Reformatory for Women,
as authorized by Section 764.

795. Promptly after the admission of any person to any
of the State penal institutions subject to the control of the
Board of Correction, it shall be the duty of the Warden or
Superintendent of said institution, under such regulations
as shall be established by the Board of Correction, to
assemble the necessary information and prepare an ade-
quate case record of each inmate which shall include a
description of the offender, his family history, previous
record, a summary of the facts of the case for which he
is serving sentence and the results of his physical, mental
and educational examination, which shall be conducted as
soon after admission to the institution as feasible. From
the information so assembled, each inmate shall be classi-
fied and assigned to such available treatment, training or
employment as may be deemed appropriate, and to this
end, the [Board of Correction] Superintendent of Prisons,
shall exercise liberally the powers of transfer conferred
by the preceding section of this Article, it being intended
that each prisoner sentenced to any of the penal institu-
tions subject to the control of the Board of Correction shall
be assigned or transferred, as expeditiously as possible, to
such treatment, training and employment as will, in the
judgment of said Board Superintendents of Prisons im-
prove discipline or aid in the safekeeping, treatment, train-
ing, employment and preparation of said offender for
parole or release upon the expiration of his sentence. It
shall be the further duty of the Warden or Superintendent
of the respective institutions, under regulations established
by the Board of Correction, to keep and preserve adequate
records of the conduct, effort and progress of each inmate
during confinement, and copies of the case and institu-
tional records, or summaries thereof shall be presented to
the Parole Authority by the time each such inmate becomes
eligible for parole and at other times when requested.

797. The salary of the Director and Chairman of said
Board of Correction and the salaries or compensation of
every employee of said Board and every Warden, and other
employees connected with the Maryland Penitentiary, the
Maryland House of Correction shall be paid by the said
Board out of any funds in the hands of said Board, or by
the State Treasurer upon warrant of the Comptroller of
the Treasury, out of the funds appropriated therefor.

Every member of said Board of Correction, and every
employee of said Board, and every Warden, and other em-
ployees connected with any of said institutions shall have
reimbursed to him all actual and necessary traveling and
other expenses which the said Board may certify to have
been incurred by him in the discharge of his official duties;
and the said reimbursements shall be made by the said
Board out of any funds in the hands of said Board, or by
the State Treasurer, upon warrant of the Comptroller of
the Treasury, out of the funds appropriated therefor.

SEC. 2. And be it further enacted, That Sections 762 and
766 of said Article 27 of the said Code and Sections 92, 93,
94, 95 and 102 of said Article 41 of the said Code be and
they are hereby repealed.

SEC. 3. And be it further enacted, That all the rights,
powers, duties, obligations, and functions of the Division
of Parole and Probation under existing law at the time
of the passage of this Act, shall, upon the taking effect
thereof, be transferred to, and thereafter be exercised and
performed by the Department of Parole and Probation,
which shall be the lawful successor of the said Division.
All the records of the said Division together with all au-
tomobiles and other equipment of said Division shall be and
the same are hereby transferred to the Department of
Parole and Probation; and possession of such records,
avtomobiles, and equipment is hereby vested in the Board
of Parole and Probation. All staff and employees of the
Division of Parole and Probation are hereby transferred
to the Department of Parole and Probation with the same
standing under the Merit System as enjoyed by them at
the effective date of this Act; provided, however, that no
person so transferred shall suffer any reduction in com-
pensation because of such transfer.

SEC. 4. Notwithstanding any other provisions of this
Act, the person serving as Superintendent of Prisons at
the time of the passage of this Act shall continue in office, 
subject to the provisions of Article 64A of said Code, 
title "Merit System."

Sec. 5. And be it further enacted, That this Act shall 
take effect July 1, 1953.
Explanation

This bill is recommended by the Legislative Council following a study made by a sub-committee of the Council, as requested by House Resolution No. 22 of 1952. It would permit elected and appointed officials who are now in office to become members of the Retirement System. It would also permit any elected or appointed officials who take office in the future to become members within six months after taking office. There was an act passed to this effect in 1945 but it was subject to a general six months restriction and therefore is no longer effective. Finally, the bill provides that a person holding an elective or appointive position for a year shall receive a full year’s credit for that time.

(Item No. 77)

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Sections 3(5) and 6(2) of Article 73B of the Annotated Code of Maryland (1951 Edition), title “Pensions,” renewing the time limitation as to certain elected or appointed officials who may desire to become members of the Employees’ Retirement System and relating generally to the provisions applicable to such members.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 3(5) and 6(2) of Article 73B of the Annotated Code of Maryland (1951 Edition), title “Pensions,” be and they are hereby repealed and re-enacted, with amendments, to read as follows:

3.

(5). Notwithstanding anything to the contrary in this Article, membership in the retirement System shall be optional with any class of elected officials, or with any class of officials appointed for fixed terms. Such elected or appointed officials now in office may become members of the Employees’ Retirement System by making application for such membership within six months after June 1, 1945. All officials elected or appointed on or after July 1, 1953 may become members of the System upon making application therefor within six months after their election or appointment. All such officials shall be entitled to credit for prior service rendered by them to the State, including service rendered prior to the establishment of the Employees’ Retirement System. If any such official is entitled to a pension under the provisions of any other law, such official shall be deemed to have waived the benefits thereof by accepting the payment of benefits under this Article.

6.

(2). The Board of Trustees shall fix and determine by appropriate rules and regulations how much service in any
4 year is equivalent to one year of service, but except as
5 otherwise provided, in no case shall it allow credit for a
6 period of absence without pay of more than a month's
7 duration nor shall more than one year of service be cred-
8 itable for all service in one calendar year. The Board of
9 Trustees, under such rules and regulations as it shall adopt,
10 shall allow credit, however, to members absent in the mili-
11 tary service during World War I for the period of their
12 absence, provided that such members were employees when
13 they entered such military service and within one year
14 from the date of their discharge again became employees.
15 Service rendered for the full normal working time in any
16 year shall be equivalent to one year's service. Persons
17 holding elective or appointive positions shall receive a full
18 year's credit for each full year during which such person
19 has held or holds such position.

1 Sec. 2. And be it further enacted, That this Act shall
2 take effect July 1, 1953.
This bill is recommended by the Commission on Administrative Organization of the State in its Report on Personnel Administration in Maryland. It would provide authority to the Employment Commissioner to remove from the list names of unsuitable candidates who had been interviewed but not selected five times; it would reorganize the Standard Salary Board to consist of five public members only with the Employment Commissioner, the Budget Director and the Chief Deputy Comptroller ex officio and advisory members without voting power; it would change the name of the State Employment Commissioner to “State Director of Personnel”; and it would provide that the salary of the State Director of Personnel be provided in the Budget.

(Item No. 55H)

AN ACT to repeal and re-enact, with amendments, Sub-section (a) of Section 21 and Sections 9, 24, and 25 of Article 64A of the Annotated Code of Maryland (1951 Edition) title “Merit System,” to add a new sub-section to Section 17 of Article 64A to be known as (g) and to repeal and re-enact, with amendments Sections 185, 186, 189 and 193 of Article 41 of said Code, title “Governor—Executive and Administrative Departments”, sub-title “The Department of State Employment and Registration,” revising generally the laws pertaining to personnel administration in the State of Maryland.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sub-section (a) of Section 21 and Sections 9, 24, and 25 of Article 64A of the Annotated Code of Maryland (1951 Edition), title “Merit System,” be and they are hereby repealed and re-enacted, with amendments, and that a new sub-section be and it is hereby added to Section 17 of said Article, said new sub-section to be know as Sub-section (g), to follow immediately after Sub-section (f) of said Section, and all to read as follows:

9. There shall be appointed by the Governor a person of ability and integrity who shall be known as the Commissioner of State Employment and Registration. The term of the present Commissioner shall expire as of June 1, 1947, and the Governor shall appoint a new Commissioner, who may be the present incumbent, for a term of two years. The present Commissioner shall become the State Commissioner of Personnel. As of June 1, 1949, the Governor shall appoint a Commissioner of Personnel for a term of six years and until his successor is appointed and qualified. Any vacancy shall be filled by the Governor for the unexpired term. The Governor may remove the Commissioner for official misconduct, incompetency, or neglect of duty. The Commissioner shall receive a salary of Seven
Thousand Five Hundred Dollars ($7,500) as provided in the Budget.

The Commissioner shall appoint a Secretary who shall perform such duties as the Commissioner may prescribe, and who shall receive the salary appropriated in the Budget Bill. The Commissioner may appoint his employees and may incur expenses for office rent, printing, advertising, stationery, salaries of employees and other expenses incidental to the administration of this Article, within the limits of the amounts appropriated therefor by the General Assembly in the Budget Bill.

The employees of the Commissioner excluding his Secretary shall be included in the classified service.

The Commissioner shall make an annual report on or before January 1st in each year to the Governor concerning his work and proceedings and shall include therein any recommendations he deems advisable in regard to conditions in service of the State-classified and unclassified. All rules of the Commissioner shall be open to public inspection at the office of the Commissioner.

Wherever in this Article the word “Commissioner” appears, it shall be deemed to mean and shall refer to the State Commissioner of Personnel; and wherever in this Code the words “State Employment Commissioner” or “Commissioner of State Employment and Registration” appear, they shall be deemed to mean and shall refer to the State Commissioner of Personnel.

17. (g). If, after advertising as provided by law for an applicant for a job requiring technical, professional or administrative skills, no qualified applications are received, a person may be appointed to the job subject to a qualification test only, and not to a competitive examination.

21. (a) The Commissioner shall prepare a list of eligibles consisting of the names of persons whose general average and whose marks on any part of the examination exceed the minimum set by the rules of the Commissioner and shall publicly post such list in his office. Eligible lists shall continue in force for one year from the date of posting and may be extended by the Commissioner by action taken before the expiration of such year, and entered in the minutes, provided, however, that the Commissioner, shall have power at any time, after a public hearing and notice as prescribed by Section 19 of this Article, to cancel the whole or any part of any eligible list by reason of illegality or fraud in connection therewith. The Commissioner shall also have the power, in his discretion, to remove the name of any person from an eligible list for any wilful misrepresentation of a material matter made in an application for examination to establish an eligible list. A new eligible list for any class shall be combined with an existing list as the Commissioner may by rules provide but in such case any portion of such combined list shall be automatically cancelled one year after being first posted unless held in force as above provided. The markings and examination
papers of each candidate shall be open to his inspection

upon application at the office of the Commissioner. Whenever the name of any person shall have been certified to
five (5) different vacancies (excluding any certification in
which the name of a veteran having preference to appointment,
as provided in Section 16 of this Article, shall stand
higher than the name of such person), and such person
shall not have been selected by an appointing authority to
fill any of the vacancies to which he was certified for appointment, the Commissioner may, if he deems such person
to be unsuitable for employment, cause the name of such
person to be dropped from the list of eligibles. Such person
shall be notified in writing of such action. A candidate who
protests removal of his name from the list shall be entitled
to a review of such action by a board established under
the rules of the Commissioner to review such actions and
to advise the Commissioner with respect to such review of
such action.

24. There is hereby created a Board to be known as the
State Employees Standard Salary Board to consist of
eight (8) members. One member of said Board
shall be the Director of the Budget, one member shall be
the Commissioner of State Employment and Registration;
one member shall be the Chief Deputy Comptroller; and
four] Such members shall be persons who are not officers
or employees of the State, or of any sub-division thereof
who are familiar with industrial and commercial employment
and pay policies of the State, and who shall be ap
pointed by the Governor for a six (6) year term. The Chief
Deputy Comptroller, the Director of the Budget and the
Commissioner of Personnel shall serve as ex-officio mem
bers of said board, to act in an advisory capacity, but with
out the privilege of voting on matters before the said board.
Such members shall serve without compensation. Pro
vided, however, that none of the present incumbents, other
than ex-officio members of the Board as heretofore con
stituted, shall be disqualified for re-appointment to the
Board by reason of their holding public office.

25. The Commissioner shall be responsible for develop
ing all data, including but not limited to tables, charts, job
descriptions, job comparisons and ratings for use of the
Standard Salary Board. It shall be the duty of the Board
to consider the materials developed by the Commissioner,
and [After] after consultation with appointing authorities,
the State Employees Standard Salary Board shall prepare
and recommend to the Governor a pay plan for all classes
of positions in both the Classified and Unclassified Service
to the end that all positions in such services involving com
parable duties, experience, responsibilities and authority
shall be paid in accordance with the standard salary sched
ule. In establishing rates of pay, the State Employees
Standard Salary Board shall give consideration to ex
perience, the prevailing rates of pay for the services per
formed, and for comparable services in public and private
employment, living costs, maintenance or other benefits re
ceived by employees, and the State's financial condition
and policies. Such pay plan shall take effect and shall have
the force and effect of law when approved by the Governor.
Amendments thereto may, from time to time, be recom
mended by the Board and when approved by the Governor
shall have the force of law in the same manner as if they
had been originally incorporated in the schedule. Each
employee in the Classified and in the Unclassified Service
shall be paid at one of the rates set forth in the pay plan
for the grade or class of positions in which he is employed.
The pay plan shall be used by the Governor in the prepara-
tion and submission of his budget. Provided, however, that
positions upon the faculties of the University of Maryland,
State Teachers’ Colleges and Morgan State College, but not
the non-instructional personnel of such institutions, shall
be excluded from said pay plan and from the jurisdiction
of the State Employees Standard Salary Board.

The said Board shall, when necessary, visit the various
State agencies to determine whether or not an employee
is properly classified, whether or not his duties conform
with his classification, and such other information as may
be helpful in preparing said pay plan, and to that end the
Board may require any State employee to appear before it
and give evidence.

The said State Employees Standard Salary Board is
hereby authorized whenever in its judgment the same is
warranted on account of the cost of living and the general
employment conditions in the particular area, to approve
increases in salaries of employees of County Welfare
Boards created by the State Department of Public Wel-
fare, up to but not exceeding twenty per centum (20%)
over the salary fixed for such positions by said Board sub-
ject to the approval of the County Commissioners of the
particular county where salaries are proposed to be in-
creased, such increases to be prorated on the same basis as
the basic salaries of such employees.

SEC. 2. And be it further enacted, That Sections 185,
186, 189 and 193 of Article 41 of said Code, title “Governor-
Executive and Administrative Departments,” sub-title
“Department of Employment and Registration,” be and
they are hereby repealed and re-enacted, with amendments,
to read as follows:

185. The Department of State Employment and Regis-
tration is hereby established. The head of this Department
shall be the [State Employment Commissioner] State Com-
missioner of Personnel, who, appointed as at present, shall
have and exercise all the rights, powers, duties, obligations
and functions now or hereafter conferred upon him by
law. The said [State Employment Commissioner shall be
known hereafter as the Commissioner of State Employ-
ment and Registration, and[ State Commissioner of Per-
sonnel shall devote all of his time to the duties of his office,
including the duties heretofore performed by the Secretary
and Chief Examiners as designated in the budget.

186. The following boards and agencies shall be assigned
to the [Department of Employment and Registration]
State Commissioner of Personnel:

[State Employment Commissioner] State Commissioner
of Personnel
State Board of Barber Examiners
State Board of Chiropody Examiners
189. On January 1, 1923, the Board of Public Works shall determine which of the boards and agencies mentioned in Section 186 can discharge its duties, or part of its duties, with equal or greater efficiency and greater economy at the office of the Commissioner of State Employment and Registration. It may find necessary, it shall be the duty of each such board or agency so notified thereafter to maintain its office and discharge its duties, or to discharge such part of its duties as the Board of Public Works may so determine at the office of the said Commissioner of State Employment and Registration; and the said Commissioner shall provide the necessary quarters, means, facilities, paraphernalia and clerical assistance therefor.

193. (a) The State Employment Commissioner shall establish and maintain a central license office at some convenient location. Subject to the approval of the Board of Public Works, the said Commissioner shall be authorized to select the location for such central license office which may be established as part of the present facilities of said Commissioner or at a new location, as said Commissioner may select. The said Commissioner is authorized, subject to the approval of the Board of Public Works, to enter into a rental or lease agreement for said central license office, to obtain necessary office equipment and supplies and to procure necessary clerical assistance.

(b) When the central license office, as aforesaid, shall have been established, it shall be used by the State Board of Barber Examiners, the State Board of Examining Engineers, the State Board of Electrical Examiners and Supervisors, the State Board of Examining Moving Picture Machine Operators and the State Board of Commissioners of Practical Plumbing and shall be the place where such licensing boards and agencies shall discharge their duties and keep their records, except where otherwise directed by law to conduct examinations throughout the State.

(c) The licensing boards enumerated in sub-section (b) of this section shall share the expenses of quarters, office supplies and equipment and clerical assistance on a pro
rata basis in such amounts as the said Commissioner shall, subject to the approval of the Board of Public Works, determine. For the fiscal year ending June 30, 1952, each of said Boards is authorized to use any monies appropriated by the General Assembly of Maryland for that purpose to meet its pro rata share of such costs and each year thereafter to use any license fees which it may collect to meet its pro rata share of such costs.

(d) Nothing in this section shall be construed to vest authority in the [State Employment Commissioner] State Commissioner of Personnel to supervise the licensing boards enumerated in sub-section (b) of this section other than as to the establishment, maintenance and equipping of said central licensing office, the performance of clerical duties of said boards and the employment of clerical assistance.

SEC. 3. And be it further enacted, That the salary of the present incumbent of the position of State Employment Commissioner shall not be decreased during his present term of office.

SEC. 4. And be it further enacted, That this Act shall take effect July 1, 1953.
This bill is recommended by the Legislative Council to carry out most of the proposals submitted to it by the special committee to investigate racing. This committee was set up by the Legislative Council in the Spring of 1952 and submitted a report to the Council on October 1. The bill would set up the Chairman of the State Racing Commission as a full-time administrative official, make small increases in the number of days of racing allotted to the tracks and amend generally the racing laws of this State to carry out the recommendations of the special committee to investigate racing.

(Item No. 75)

A BILL
ENTITLED
AN ACT to repeal and re-enact, with amendments, Sections 2, 4, 5(a), 7, 9, 12, 14, 15(a), 16 and 17(b) of Article 78B of the Annotated Code of Maryland (1951 Edition), title “Racing Commission,” and to add a new Section 4A to said Article, said new section to follow immediately after Section 4 thereof, relating generally to the powers and duties of the State Racing Commission, specifying the number of days of racing permitted as a maximum, setting up conditions and requirements for the conduct of racing, eliminating certain obsolete provisions from said Article, and generally amending the laws of this State having to do with horse racing.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 2, 4, 5(a), 7, 9, 12, 14, 15(a), 16 and 17(b) of Article 78B of the Annotated Code of Maryland (1951 Edition), title “Racing Commission,” be and they are hereby repealed and re-enacted, with amendments, and that a new Section 4A be and it is hereby added to said Article, said new section to follow immediately after Section 4 thereof, and all to read as follows:

2. (a). Said Maryland Racing Commission shall consist of three members, all of whom shall be appointed by the Governor, by and with the consent of the Senate, and not more than two of whom shall be of the same political party, and one of whom shall be designated by the Governor to be the Chairman of the said Commission. Each Commissioner at the time of his appointment and qualification shall be a resident of the State of Maryland and shall have resided in said State for a period of at least five years next preceding his appointment and qualification, and he shall also be a qualified voter therein and not less than twenty-five years of age. One of said Commissioners shall hold office for two years from the beginning of his term of office and until his successor shall qualify; one of said Commissioners shall hold office for four years from the beginning of his term of office and until his successor shall qualify; and one of said Commissioners shall hold office for six years from the beginning of his term of office and until
his successor shall qualify. The term of office of each 
Commissioner shall begin within thirty days from June 1, 
1920. The Governor, at the time of making and announce-
ing the appointment of said three Commissioners, as well 
as in the commission issued by him to each of them, shall 
designate which of said Commissioners shall serve for the 
term of two years, and which shall serve for the term of 
four years, and which shall serve for the term of six years, 
as aforesaid, and also which shall be the Chairman of said 
Commission.

(b). The Commissioners in office on July 1, 1953 shall 
continue therein for the balance of the terms for which re-
spectively appointed. Upon the expiration of each of said 
terms, the term of office of each Commissioner thereafter 
appointed shall be six years from the time of his appoint-
ment and qualification and until his successor shall qualify. 
In case any Commissioner shall be allowed to hold over after 
the expiration of his term, his successor shall be appointed 
for the balance of the unexpired term. Vacancies in said 
commission shall be filled by the Governor for the unex-
pired term. Each Commissioner shall be eligible for reap-
pointment in the discretion of the Governor.

(c). In the event that the term of office above ascer-
tained and prescribed for each of said Commissioners shall 
in respect to any of said Commissioners be held and de-
cided by the Courts, and particularly by the Court of Ap-
peals of Maryland, to be in excess of the period or term 
of office allowed or permitted by the Constitution of Mary-
land, then, in such event, the term of office of each of said 
Commissioners shall, and this Article hereby declares and 
determines that the term of office of each of them shall 
be for the period of two years from and after the date of 
appointment, unless removed from office, and until their 
successors respectively qualify according to law.

(d). The Governor may remove any Commissioner for 
inefficiency, neglect of duty, or misconduct in office, giv-
ing to him a copy of the charges against him and an op-
opportunity of being publicly heard in person or by counsel, 
in his own defense, upon not less than ten days' notice. 
Also, the Chairman of the Commission may be removed 
by the Governor for not spending full time at his duties 
as chairman during normal business hours and when races 
are being conducted at a track licensed under the provisions 
of this Article. If any such Commissioner be re-
moved, the Governor shall file in the office of the Secretary 
of State a complete statement of all charges made against 
such Commissioner, and his findings thereon, together 
with a complete record of the proceedings. No person shall 
be eligible for appointment or shall hold the office of Com-
missioner or be appointed by the Commission, or hold any 
office or position under the Commission, who holds any 
official relation to any association or corporation engaged 
in or conducting racing within the State of Maryland, or 
holds stock or bonds therein, or who has any pecuniary in-
terest therein.

4. Said Commission shall meet at such times and places 
within the State of Maryland as the Commission shall de-
termine. The members thereof shall be entitled to their 
reasonable expenses for each meeting so attended. A ma-
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the transaction of any business, for the performance of any duty, or for the exercise of any power of the Commission. The work of the Commission shall be that of making and determining policy, with the administrative and executive powers and duties of the Commission being vested in the Chairman, as provided for elsewhere in this Article.

The Commission may appoint such officers, inspectors and experts as may be necessary who shall serve during the pleasure of said Commission and may appoint a Secretary and such clerks and stenographers as may be necessary, who shall be members of the Merit System. The Secretary of the Commission shall keep a record of all proceedings of the Commission, and shall preserve all books, maps, documents and papers belonging to the Commission or intrusted to its care, and perform such other duties as the Commission may prescribe. The Commission shall make an annual report to the Governor on or before the first day of January, which report shall include a statement of receipts and disbursements by the Commission, and any additional information and recommendations which the Commission may deem of value.

4A. (a). The Chairman of the Maryland Racing Commission shall be the administrative and executive head of the Commission. He may appoint such officers, inspectors and experts as may be necessary, who shall serve during such time as he determines. He also may appoint a Secretary to the Racing Commission and such clerks and stenographers as may be necessary, who shall be subject to the provisions of Article 64A of this Code, title “Merit System.”

(b). The Chairman shall devote his full time to the duties of his office. He shall be in attendance in the Commission’s office or at one of the racetracks licensed under this Article during all normal business hours and when races are being conducted.

5. (a). The salaries of the associate members of the Commission, of its Secretary and of its stenographers and clerks shall be as in the Budget provided. The salary of the Chairman of the Commission shall be $15,000.00 annually. In addition to the employees of the Commission, whose salaries are provided for in the Budget, the Commission is authorized to employ at reasonable compensation, a reasonable number of inspectors, guards, experts, scientists, auditors, veterinarians, and other employees or agents deemed by the Commission to be essential at or in connection with any race meeting to the best interests of racing (hereinafter referred to as “additional employees”), and is further authorized to maintain a testing laboratory and to purchase supplies and equipment for and in connection with such laboratory or other tests or testing processes. The expenses of such laboratory or other testing process and of the supplies and equipment needed in connection with either shall be paid by all licensees licensed in any calendar year under this Article in the ratio which the number of days of racing conducted by such licensee bears to the whole number of days of licensed racing, with betting privileges, held in this State during such year. The compensation of such additional employees shall be paid by the licensee of the race meeting in connection
with which they are utilized or employed. Each licensee
as a condition precedent to the privilege of receiving a
license under this Article shall be deemed to have agreed
that it will pay such expenses and compensation; provided,
however, that no licensee licensed under the provisions of
Section 7 of this Article shall be asked or required to pay
more under this Sub-section than Thirty-five Thousand
Dollars ($35,000) in any calendar year and that no licensee
licensed under the provisions of Section 15 of this Article
shall be asked or required to pay more under this Sub-
section than Ten Thousand Dollars ($10,000) in any calen-
dary year and that no licensee licensed under the provi-
sion of Section 17 of this Article authorized to carry on betting
shall be asked or required to pay more under this Sub-
section than the actual reasonable amount of such expense
and compensation.

7. Any person or persons, association or corporation,
desiring to conduct racing within the State of Maryland
during any calendar year, shall apply to the Maryland Rac-
ing Commission for a license so to do. Such application
shall be filed with the Secretary of the Commission on or
before a day to be fixed by the Commission. Such applica-
tion shall specify the days on which such racing is desired
to be conducted or held, and such application shall be in
such form and supply such data and information as the
said Maryland Racing Commission shall prescribe. Said
Racing Commission shall [, as soon as practicable during
nineteen hundred and forty-three (1943) and] on or be-
fore the first day of [March] October of each year [there-
after], award all dates for racing in the State of Maryland
[within the current:] for the next ensuing year, but the
said dates so awarded shall not exceed one hundred and
eight days in the aggregate [, and] for tracks licensed
under the provisions of this section. The decision of the
Commission on the award of all such dates shall be final.
The Commission shall have the power to reject any applica-
tion for a license for any cause which it may deem suf-
cient and the action of the Commission shall be final. [,No
one person, corporation or association shall be given a li-
cense to conduct racing for more than fifty days (50) rac-
ing in one year, nor shall] For racing as provided in this
section, the Commission is authorized to issue licenses for
a maximum of thirty-six days each to the following organi-
izations and tracks: (1) the Maryland Jockey Club at Pim-
nico, Baltimore City; (2) the Southern Maryland Agricul-
tural Association, at Bowie, Prince George's County; and
(3) Maryland State Fair, Inc., at Laurel. Anne Arundel
and Howard Counties. Not more than an aggregate of
fifty days (50) racing shall be held in any one year on any
one track within the State of Maryland. The said Racing
Commission may, at any time or times, in its discretion,
authorize any person, corporation or association to transfer
its racing meet or meetings from its own track, or place
for holding races, for a temporary period, to the track, or
place for holding races, of any other person, corporation
or association now conducting racing in the State of Mary-
land upon payment of any and all appropriate license fees
for the conduct of racing at the particular track, or place
provided, however, that no such authority to transfer shall
be granted without the express consent of the person, cor-
poration or association owning or leasing the track to which
such transfer is made, but nothing in this section shall affect in any manner the license fees, requirements, rights, conditions, terms and provisions of Section 8 of this Article; provided, further that the Commission shall issue no license nor award any dates for racing on any tracks or places for holding races in Maryland, unless on such tracks or places for holding races, races have been run or held at least once in every year for a period of three consecutive years immediately prior to May 6, 1943, it being the intent, purpose and effect of this section to insure that no new or additional tracks or places for holding or conducting races shall be licensed or awarded dates; provided, however, that if the Maryland Jockey Club, the Southern Maryland Agricultural Association, or the Maryland State Fair, or the Harford Agricultural and Breeders’ Association, respectively, shall permanently abandon for racing purposes the Pimlico Track, the Bowie Track, or the Laurel Track for the Havre de Grace Track, the Association so abandoning the track at which it has heretofore regularly conducted race meetings under the authority of this Article and this Section may be licensed and awarded dates for the holding or conducting of races or race meetings at a new track location in the State, the racing days heretofore allotted to that association and to the track being abandoned shall not be transferred to any other racing association or to any other track otherwise than by an amendment to the appropriate provisions hereinabove in this section.

9. Said Commission may in its discretion meet subsequent to the first day of March and award dates for racing within the limits hereinbefore provided on applications submitted, provided that the days so awarded in no way conflict with the further provisions of this Article; and provided, further, that no license for a race meeting shall issue prior to the payment of the fees therefor at the rate hereinbefore provided.

12. (a). For the calendar year 1947 and for each year thereafter, each licensee licensed under the provisions of Section 7 of this Article, and for the calendar year 1953 and for each year thereafter, each licensee licensed under the provisions of Section 15 of this Article, shall deduct one-half of one per centum from the total amount of money wagered on all races during each and every meeting and shall pay to the Maryland Racing Commission, for the use of the State of Maryland, such sums so deducted as a tax; the payment of said tax shall be accompanied by a statement of the licensee or its duly authorized agent, under oath, showing the amount of money wagered each day during the preceding meeting. All deductions and tax payments made hereunder shall be held in and comprise a fund to be known as the “Racing Fund”, and shall be deposited by the Commission in one or more banks or trust companies in the State. The members of the Commission shall have no personal liability for loss to such Fund by reason of the failure or insolvency or other fault of any depository if they shall use ordinary care in the selection of the depository. The Commission shall require any depository to secure by collateral any deposit therein comprising a part or all of the Fund.

(b). The Commission shall not be required to remit any
part of the Racing Fund on hand at any time to the Comptroller or to the Treasurer of the State, unless and until said Fund shall revert to the General Treasury of the State in the manner hereinafter provided.

(c). The amount of the Racing Fund on hand at any time, representing the deductions made by any particular licensee from the mutuel pool, previously deducted by such licensee and paid to the State as a tax, may, with the prior written and express permission of the Commission, upon such terms and conditions as it may prescribe, be granted by the Commission to that particular licensee as a contribution to its capital for any substantial alterations, additions, changes, improvements or major repairs to or upon the property owned or leased by such licensee and by it used for the conduct of racing. In determining whether to make such grant or grants as contributions to capital of any portion of the Racing Fund, the Commission shall give due consideration to whether its expenditure in each instance will promote the safety, convenience and comfort of the racing public and horse owners and generally whether it will tend toward the improvement of racing in this State. In the fiscal year 1952, any amount granted by the Commission, as provided in this section, is hereby appropriated by the State, out of such tax collected in the fiscal year 1952 and out of the Racing Fund on hand on July 1, 1951, to the licensee involved for the purposes allowed by the Commission as herein authorized. For the fiscal year 1953 and for every fiscal year thereafter, the Governor shall include in his Budget or any Supplemental Budget, the estimated receipts to be derived from the imposition of such tax during such fiscal year and any unexpended balance on hand in the Racing Fund at the beginning of such fiscal year, less any reversion of the same as hereinafter provided, to be granted by the Commission to such licensees as provided in this section. If amounts equal to the deductions herein provided made by any licensee for any calendar year shall neither have been spent or binding commitments have been entered into for their expenditures as grants to licensees within three (3) years from the last day of the year of collection, the unspent portion of such year's deduction and tax payment shall revert to the General Treasury of the State and shall be paid over by the Commission to the Comptroller; provided, however, that, due to the present emergency amounts equal to the deductions of any licensee on hand in the Racing Fund at the effective date of this Act may be granted as contribution to capital by the Commission to the licensee who contributed such amount for the purposes herein provided at any time prior to March 31, 1953. If and when any licensee abandons its present location for racing and operates at the track of another licensee, its pro rata share of the Racing Fund may, by mutual agreement between the licensees involved, with the approval of the Racing Commission, by granted by the Commission and if so, is hereby appropriated for capital improvements, as hereinabove authorized, at the track of the licensee wherein the meeting was run, any moneys in the Racing Fund which may be owing to such licensee by reason of its operation of the abandoned track shall revert to the General Treasury of the State and shall not be paid to or for the use of any other track or licensee.
(d) Notwithstanding anything contained in this section to the contrary, the deductions made by the Maryland Jockey Club at the joint meetings held at Pimlico during the year 1944, for which it held a license, and the deductions made by the Maryland State Fair at the joint meeting in 1944, for which it held a license, shall be considered and treated for the purposes of this section, as having been made, as agents of the Commission, one-fourth by the Maryland Jockey Club, one-fourth by the Maryland State Fair, one-fourth by the Southern Maryland Agricultural Association, and one-fourth by the Harford Agricultural and Breeders Association; and the Commission may make grants from the Racing Fund, as constituted on May 4th, 1945, to each of said four Racing Organizations, equally, in the manner and to the extent hereinabove set forth, and, for the purposes of this section, each shall be considered as having deducted from the mutual pool one-fourth of said Racing Fund as so constituted as agents aforesaid. If, however, the Commission shall issue a license for the conduct of racing to one of the said four Racing Organizations, the Maryland Jockey Club, the Southern Maryland Agricultural Association, or the Maryland State Fair, Inc., for the purpose of enabling a joint meeting to be held in which one or more of the others of the above-mentioned Racing Organizations participate, the deductions made by the licensee of said meeting shall be considered and treated as having been made, for the purposes of this section, by each of the said Racing Organizations participating in said meeting, as agents aforesaid, in the proportion in which are shared the profits and losses of that particular meeting, and the Racing Commission may make grants from the Racing Fund to the Racing Organization considered and treated herein as having made such deduction, in the manner and to the extent hereinabove set forth.

(e). The licensees under the provisions of Section 15 of this Article, known generally as half-mile tracks, shall be subject to the provisions of this sub-section, in addition to the other provisions in this section, except that in case of any conflict between the two, the provisions of this sub-section shall prevail for the half-mile tracks. If the amount placed in the Racing Fund by any such licensee during any calendar year, or any part of such amount, has not been expended or at least definitely committed and encumbered for the purposes stated hereinabove in this section by the end of the next following calendar year, in either event with the prior written and express permission of the Commission, said amount or part thereof shall be transferred forthwith by the Commission to the Comptroller to be placed in the General Treasury of the State and shall not be transferred to or approved for expenditure by the licensee. The Racing Commission is specifically authorized and empowered to enter into an agreement with any licensee whereby the licensee is to expend for the purposes stated hereinabove in this section an amount greater than is then credited to it in the Racing Fund, upon the condition that the Commission shall repay the licensee for any or all of such expenditure from future payments into the Racing Fund by the licensee.
except bona fide county fairs or agricultural exhibits, shall pay to the Maryland Racing Commission for the use of the State of Maryland, within five days after the close of each meeting, a tax at the rate of four per cent. (4%) on the total amount of money wagered on all races during each and every meeting. The payment of said tax shall be accompanied by a statement of the licensee, or his duly authorized agent, under oath, showing the amount of money wagered each day during the preceding meeting. The Commission shall promptly pay all taxes collected under the provisions of this section to the Comptroller.

(b) In addition to the license fee, the tax on wagers and other taxes imposed by law, every person, firm, association or corporation licensed under Section 8 of this Article shall, within five days after the close of each meeting, pay to the Maryland Racing Commission for the use of the State, one-half of the breakage computed to the ten cents (10¢). The payment of said breakage shall be accompanied by a statement of the licensee, or his duly authorized agent, under oath, showing the total amount of breakage received at said meeting. The Commission shall promptly pay the one-half of the breakage received by it under the provisions of this section to the Comptroller, as provided in Section 19 of this Article.

(c) The persons, firms, associations or corporations licensed to hold racing meetings in the State of Maryland under the provisions of Section 8 of this Article, in addition to the other taxes and fees imposed under the provisions of this Article, shall pay annually in the aggregate the sum of Sixteen Thousand Dollars ($16,000) to the Maryland State Fair Board and the sum of Eight Thousand Dollars ($8,000) to the Maryland Horse Breeders' Association. Each such licensee shall pay an equal share of the two payments, or as close thereto as is possible, with the exact amount due to be certified to each licensee by the Racing Commission.

15. (a) In addition to licensing racing, as hereinbefore provided, the Racing Commission is authorized to issue licenses to the following organizations: Agricultural and Mechanical Association of Washington County, Cumberland Fair Association, Inc., [Pocomoke Agricultural Fair Association, Inc.] Harford County Fair Association, Inc., Southern Maryland Agricultural Fair Association of Prince George's County, and the Maryland State Fair and Agricultural Society, Incorporated. Such licenses shall permit the holder to conduct a race meeting or meetings with betting privileges, not to exceed [ten] twelve days for any one organization in any calendar year, provided such meetings are held in connection with or for the benefit of bona fide County Fairs or Agricultural Exhibitions and are held in compliance with all the provisions of this Article.

16. In addition to all fees, premiums, taxes or other pay-
ments required by law, each licensee under the provisions of the preceding Section 15 shall pay to the Racing Commission for the use of the State, within five days after the close of the last meeting held during the year 1951 and during each calendar year thereafter, an annual tax at the rate of 1% on all money wagered not exceeding $1,500,000 on all such races conducted by it during each such year, and 6% on all money wagered in excess of $1,500,000 on all such races conducted by it during each such year and shall pay one-half (½) of the breakage computed to ten cents (10¢) to the Comptroller for the use of the Maryland State Fair Board, which shall be used by said board as it deems necessary for premiums at the tracks where such breakage was collected and the remainder used for the general purposes of said board. The payment of said tax shall be accompanied by a statement of the licensee, or his duly authorized agent, under oath, showing the amount of money wagered each day during the preceding meeting. The Commission shall promptly pay all taxes collected under the provisions of this section to the Comptroller, as provided in Section 19 of this Article. Each licensee may deduct and retain for its own account 11% of all money wagered on all races conducted by it during each such year not exceeding $1,500,000 and 6% of all money wagered in excess of $1,500,000 on all races conducted by it during each such year, exclusive of the special tax imposed by Section 12 of this Article, and one-half (½) of the breakage computed to the ten cents (10¢). For the purpose of enforcing the provisions of this section the Commission shall have and exercise all of the power conferred upon it by Sections 11 and 13 of this Article.

17. (b) Each licensee licensed under the provisions of this section shall at its option be permitted to avail itself of the pari-mutuel betting privileges granted in this section, retaining for its own use 11% of all money wagered not in excess of $2,000,000 and 7½% of all money wagered in excess of $2,000,000 on all races conducted by it during the year, and shall pay to the Racing Commission for the use of the State within five days after the close of the meeting held during the year 1951, and each calendar year thereafter, an annual tax at the rate of 1% of all money wagered not in excess of $2,000,000 and 4½% of all money wagered in excess of $2,000,000 on all races conducted by it during the year, together with all breakage computed to ten cents (10¢), and together with a license fee of Twenty-five Dollars ($25.00) for each day that races are held, provided that the Racing Commission shall not authorize more than twenty-four days at any one track, and that the number of days of racing authorized at any one track must be used by the licensee on consecutive week days, or be forfeited.

SEC. 2. And be it further enacted, That nothing in this Act shall be construed as affecting the term or tenure of any member of the Maryland Racing Commission who is in office on July 1, 1953.

SEC. 3. And be it further enacted, That nothing in this Act shall be construed as affecting the status of any employee of the Maryland Racing Commission who are subject to the provisions of Article 64A of the Annotated Code of Maryland, title “Merit System.”

SEC. 4. And be it further enacted, That this Act shall take effect July 1, 1953.
This bill is recommended by the State Roads Commission and its Advisory Council, to give effect to their proposals for a twelve-year roads program to cost some $568,000,000. It increases the gasoline tax to 6c per gallon and also provides general increases in motor vehicle registration fees and in seat-mile taxes. In addition, the bill authorizes toll highways and contains new provisions concerning expressways and controlled access arterial highways.

Provisions for the borrowing of road funds are to be submitted later. These bonds would be serviced by the tax increases contained in this bill.

The Legislative Council added an amendment to the bill as proposed, to transfer the cost of the State Police from the Gasoline Tax Fund to general funds. This amendment would add about two million dollars annually to the Gasoline Tax Fund, for distribution for road purposes.

(Item No. 124)

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 124(e) of Article 56 of the Annotated Code of Maryland, (1951 Edition), title "Licensees," sub-title, "Motor Vehicle Fuel Tax," also re-numbering it to be Section 124(f); to add a new Section 124(e) to said Article 56, to stand in the place and stead of the section so re-numbered; to repeal and re-enact, with amendments, Sections 169, 170, 174 and 187 of said Article 56, sub-titles, "Public Passenger Motor Vehicles," and "Public Freight Motor Vehicles," Sections 24 and 80(a) of Article 66½ of said Code, title "Motor Vehicles," sub-title "Administration — Registration — Titling," Sections 269 and 271 of Article 81 of said Code, title "Revenue and Taxes," sub-title "Mileage Tax for Use and Maintenance of Roads," and Sections 18(B) and (C) and 26 of Article 89B of said Code, title "State Roads," sub-title "Distribution and Use of Special Funds," to repeal Section 154 of said Article 89B, sub-title "State Highway Construction Bonds," and to enact a new Section 154 in lieu thereof, to stand in the place and stead of the Section so repealed; and to add Section 54A to said Article 89B, to follow immediately after Section 54 thereof, and to be under the sub-title "Duties and Powers," generally increasing the registration fees on all classes of motor vehicles, imposing a license tax with respect to motor vehicle fuel of six cents per gallon, which shall include gasoline taxes imposed under prior laws, increasing the seat-mile tax and passenger seat tax on public passenger and public freight motor vehicles, whether used in inter-state or intra-state transportation, increasing the fee for the Employee's Certificate of Convenience, clarifying the definitions of "expressways" and "controlled access arterial highways" and relating generally to the termini and traffic count of such expressways and controlled access arterial highways, authorizing the State Roads Commission to place tolls on certain highways within the State under certain conditions and relating generally to the allocation of...
61A

the 50% share of the Motor Vehicle Revenue Fund allocated to the State Roads Commission, correcting an error in the codification of Section 80 of Article 66½ and providing generally for the financing, planning, construction and maintenance of the public roads and highways in the State of Maryland; and to repeal and re-enact, with amendments, Section 303 (e) of Article 66½ of the said Code, title "Motor Vehicles," sub-title "Operation of Vehicles upon Highways," to provide that the salaries and other expenses of the Department of Maryland State Police and the State Police Retirement System shall not be paid from special funds collected by the Department of Motor Vehicles, thereby releasing the said special funds for expenditure for road purposes with the other moneys provided by this Act.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 124 (e) of Article 56 of the Annotated Code of Maryland (1951 Edition) title "Licenses", sub-title "Motor Vehicle Fuel Tax," be and is hereby repealed and re-enacted, with amendments and that it be re-numbered as Section 124 (f) thereof; that a new Section 124 (e) be added to said Article, to stand in the place and stead of of the section so re-numbered; and that Sections 169, 170, 174 and 187 of said Article 56, of sub-titles, "Public Passenger Motor Vehicles," and "Public Freight Motor Vehicles," Sections 24 and 80 (a) of Article 66½ of the said Code, title "Motor Vehicles," sub-title "Administration—Registration—Titling," Sections 269 and 271 of Article 81 of said Code, title "Revenue and Taxes," sub-title "Mileage Tax for Use and Maintenance of Roads," and Sections 18 (B) and (C), and 26 of Article 89B of the said Code, title "State Roads," sub-title "Distribution and Use of Special Funds," be and they are hereby repealed and re-enacted, with amendments, and that Section 154 of said Article 89B, sub-title "State Highway Construction Bonds," be and it is hereby repealed and a new Section 154 be and it is hereby enacted in lieu thereof to stand in the place and stead of the section so repealed, said new section to be known as Section 154, and that a new Section 54A be and it is hereby added to said Article 89B, to follow immediately after Section 54 thereof, to be under the sub-title "Duties and Powers," and all to read as follows:

ARTICLE 56

124.

(e). On and after the first day of July, 1953, the license tax in respect to motor vehicle fuels prescribed by this sub-title shall be increased one cent (1c) per gallon.

(f) On and after the first day of July, 1953, the taxes imposed by Sub-divisions (a), (b), (c), and (d) of this section shall be deemed to be continued in effect as parts of a single license tax with respect to motor vehicle fuels of Six Cents per gallon to be known as the "Gasoline Tax." In any case where the State or any agency thereof, or any county, municipality (including Baltimore City), special taxing area or other political subdivision has, prior to July 1, 1947, issued bonds or other evidences of debt and for the security, payment or servicing thereof has lawfully pledged or committed (in the form of a special tax or otherwise) any portion of
the motor vehicle fuel taxes of Two Cents, One-half Cent
(respectively, such pledge or commitment shall continue unimpaired as a pledge or commitment of a like amount of the Five Cents Gasoline Tax. However, nothing contained in this sub-title shall be deemed as requiring the dealer as defined herein to pay the tax on diesel fuel or fuel oil used for the propulsion of motor vehicles licensed to operate on a public highway, it being the legislative intent that the tax herein provided be paid by the user or by the seller as the case may be, of such diesel fuel or fuel oil.

169. (a) It shall be the duty of each owner of a motor vehicle to be used in the public intra-state transportation of passengers for hire operating over State, State-aid, improved county roads, and streets and roads of incorporated towns and cities in the State of Maryland: (1) to secure a permit from the Public Service Commission of Maryland to operate over said roads and streets; (2) to present same to the Commissioner of Motor Vehicles annually, a; the time and according to the method and provisions prescribed by law for the making of applications for registration tags in the case of all other motor vehicles; (3) to make an application in writing for registration with the Commissioner of Motor Vehicles, and to state in said application besides the other matters by law provided: (a) the seating capacity for passengers of said motor vehicle; (b) the route on which said motor vehicle is to be used; (c) whether reserve or substitute motor vehicles are maintained by the applicant to be used only in emergencies, and if so, the number of such reserve and substitute motor vehicles and a complete description of each, such motor vehicles when in use to be designated by a special marker to be furnished by the Commissioner of Motor Vehicles; (d) the length of the route in miles on State, State-aid, improved county roads, and streets and roads of incorporated towns and cities, respectively, in the State of Maryland; (e) the weight of the vehicle; and (f) the schedule under which it shall be operated; and (4) for each such motor vehicle, except reserve or substitute vehicle, an annual fee shall be paid to the Commissioner of Motor Vehicles for certificates of registration issued by him, of one twenty-sixth (1/26) of a cent per each passenger seat multiplied by the total number of miles that said application shall show will be traveled by such motor vehicle over State, State-aid, improved county roads, and streets and roads of incorporated towns and cities in the State of Maryland, during the year for which said certificate is issued, and no other additional fees, licenses or tax, shall be charged by the State or any county or municipal sub-division of the State except the property tax and gasoline tax in respect to such vehicles or their operation.

(b) A copy of the application filed with the Commissioner of Motor Vehicles shall be forwarded to the State Roads Commission, which shall thereupon compute the fee payable by each motor vehicle owner for each motor vehicle for which application for registration has been made.

(c) Such computation shall be based upon the mileage to be traversed by said motor vehicle upon all highways having a hard, smooth surface, composed of gravel, shells, crushed
stone, concrete, paving blocks, asphalt, or other similar substances.

(d) The State Roads Commission shall have authority, in disputed cases, to determine which roads and streets upon which such motor vehicles are to be operated should be included in the computation.

(e) The State Roads Commission, after making such computation, shall forthwith certify the same to the Commissioner of Motor Vehicles, whereupon the fee shown to be payable by said computation shall immediately be paid by such motor vehicle owner to the Commissioner of Motor Vehicles.

170. The license fees prescribed by Section 169 shall not be applicable to any motor vehicle operated exclusively within the corporate limits of any municipality of this State or within any territory under the jurisdiction of the Federal Government, or to any motor vehicle when such vehicle is operated exclusively on a route, one fixed terminal of which is within the corporate limits of any municipality of this State, or of any territory under the jurisdiction of the Federal Government and the other fixed terminal of said route is not more than sixteen miles from the corporate limits of any such municipality or of any such territory. For each such motor vehicle, including reserve and substitute vehicles, an annual fee shall be paid to the Commissioner of Motor Vehicles for certificates of registration issued by him, of [Four Dollars ($4.00)] Six Dollars ($6.00) per each passenger seat, and no other additional fees, licenses or tax shall be charged by the State or any county or municipal subdivision of the State, except the property tax and gasoline tax in respect to such vehicles and their operation. For each such motor vehicle, the Commissioner of Motor Vehicles shall furnish a distinctive marker or tag, which marker or tag shall be carried and displayed in such manner as directed by the Commissioner of Motor Vehicles.

174. In addition to the usual license fees now provided by law, each owner applying for the special license plates provided for in Section 173 shall pay to the Commissioner of Motor Vehicles an additional annual fee of [Three ($3.00)] Four ($4.00) Dollars, said annual fee to be paid for the whole or any part of the calendar year for which said special license plates are issued.

187. It shall be the duty of each owner of a motor vehicle to be used in the intrastate public transportation of merchandise or freight, operating over State, State-aid, improved County roads, and streets and roads of incorporated towns and cities in the State of Maryland: (1) to secure a permit from the Public Service Commission of Maryland to operate over said roads and streets; (2) to present same to the Commissioner of Motor Vehicles annually at the time and according to the method and provisions prescribed by law for the making of applications for registration tags in the case of all other motor vehicles; (3) to make an application in writing for registration with the Commissioner of Motor Vehicles, and to state in said application besides the other matters by law provided; (a) the carrying capacity as given by the manufacturer of
such motor vehicles; (b) the route on which such motor vehicle is to be used; (c) whether reserve or substitute motor vehicles are maintained by the applicant to be used only in emergencies; and if so, the number of such reserve and substitute motor vehicles and a complete description of each, such motor vehicle when in use to be designated by a special marker to be furnished by the Commissioner of Motor Vehicles; (d) the length of the route in miles on State, State-aid, improved County roads, and streets and roads of incorporated towns and cities; (e) the weight of the vehicle when empty; and (f) the schedule under which it shall be operated; and for each such motor vehicle, except reserve or substitute vehicles an annual fee shall be paid to the Commissioner of Motor Vehicles for certificates of registration issued by him as follows:

(1) Commercial vehicles with two axles and equipped with pneumatic tires other than those electrically operated shall be divided into six classes based upon the gross shipping weight of the chassis as given and certified to by the manufacturer and the fees for each class shall be as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Shipping Weight of Chassis in Pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>38</td>
<td>Less than 2500</td>
<td>$ 30</td>
</tr>
<tr>
<td>39</td>
<td>2500 and over but less than 3500</td>
<td>$ 50</td>
</tr>
<tr>
<td>40</td>
<td>3500 and over but less than 5000</td>
<td>$ 70</td>
</tr>
<tr>
<td>41</td>
<td>5000 and over but less than 6000</td>
<td>$100</td>
</tr>
<tr>
<td>42</td>
<td>6000 and over but less than 7500</td>
<td>$150</td>
</tr>
<tr>
<td>43</td>
<td>7500 and over</td>
<td>$260</td>
</tr>
</tbody>
</table>

(2) Commercial motor vehicles with three axles and equipped with pneumatic tires, other than those electrically operated, shall be divided into six classes based upon the gross shipping weight of the chassis as given and certified to by the manufacturer and the fees for each class shall be as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Shipping Weight of Chassis in Pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>51</td>
<td>Less than 3500</td>
<td>$ 50</td>
</tr>
<tr>
<td>52</td>
<td>3500 and over but less than 5000</td>
<td>$ 90</td>
</tr>
<tr>
<td>53</td>
<td>5000 and over but less than 7000</td>
<td>$160</td>
</tr>
<tr>
<td>54</td>
<td>7000 and over but less than 9000</td>
<td>$260</td>
</tr>
<tr>
<td>55</td>
<td>9000 and over but less than 12000</td>
<td>$380</td>
</tr>
<tr>
<td>56</td>
<td>12000 and over</td>
<td>$500</td>
</tr>
</tbody>
</table>

(3) Class B. (Solid Tires.) For each motor vehicle equipped in whole or in part with solid tires propelled by internal combustion engines and having a rated carrying capacity of

<table>
<thead>
<tr>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 30</td>
</tr>
<tr>
<td>$ 45</td>
</tr>
<tr>
<td>$ 60</td>
</tr>
<tr>
<td>$ 75</td>
</tr>
<tr>
<td>$125</td>
</tr>
<tr>
<td>$225</td>
</tr>
<tr>
<td>$300</td>
</tr>
</tbody>
</table>
and for each motor vehicle equipped with six wheels and
wholly or in part with solid tires propelled by internal
combustion engines, and having a rated carrying capacity
of not more than 20,000 pounds........................... $500 $750.00

(4) Class G. (1) Semi-trailers with two wheels and
equipped with rubber tires shall be divided into four classes
based upon the gross shipping weight of the chassis as
given and certified to by the manufacturer, and the fee
for each class shall be as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Shipping Weight of Chassis in Pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Less than 1000</td>
<td>$ 40</td>
</tr>
<tr>
<td>2</td>
<td>1000 and over but less than 2500....</td>
<td>$140</td>
</tr>
<tr>
<td>3</td>
<td>2500 and over but less than 3500....</td>
<td>$200</td>
</tr>
<tr>
<td>4</td>
<td>3500 and over</td>
<td>$280</td>
</tr>
</tbody>
</table>

(5) Trailers or semi-trailers with two axles and four
wheels equipped with rubber tires shall be divided into
six classes based upon the gross shipping weight of the
chassis as given and certified to by the manufacturer, and
the fee for each class shall be as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Shipping Weight of Chassis in Pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Less than 1500</td>
<td>$ 30</td>
</tr>
<tr>
<td>2</td>
<td>1500 and over but less than 3000....</td>
<td>$ 60</td>
</tr>
<tr>
<td>3</td>
<td>3000 and over but less than 4000.....</td>
<td>$ 90</td>
</tr>
<tr>
<td>4</td>
<td>4000 and over but less than 5000.....</td>
<td>$120</td>
</tr>
<tr>
<td>5</td>
<td>5000 and over but less than 6000.....</td>
<td>$150</td>
</tr>
<tr>
<td>6</td>
<td>6000 and over</td>
<td>$200</td>
</tr>
</tbody>
</table>

(6) Trailers with three axles and six wheels equipped
with rubber tires shall be divided into six classes based
upon the gross shipping weight of the chassis as given and
certified to by the manufacturer and the fee for each class
shall be as follows:

<table>
<thead>
<tr>
<th>Class</th>
<th>Shipping Weight of Chassis</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Weight in Pounds</td>
</tr>
<tr>
<td>105</td>
<td>Less than 4000</td>
</tr>
<tr>
<td>106</td>
<td>4000 and over but less than 5000</td>
</tr>
<tr>
<td>107</td>
<td>5000 and over but less than 6000</td>
</tr>
<tr>
<td>108</td>
<td>6000 and over but less than 7000</td>
</tr>
<tr>
<td>109</td>
<td>7000 and over but less than 9000</td>
</tr>
<tr>
<td>110</td>
<td>9000 and over</td>
</tr>
</tbody>
</table>

No additional fees, license, or tax shall be charged by
the State or any county or municipal sub-division of the
State, except the property tax and gasoline tax in respect
to such vehicles or their operation.

ARTICLE 66½

1. Motor vehicles owned by farmers and registered
under the provisions of this Article may, on the payment
of One Dollar ($1.00) One Dollar and Fifty Cents
($1.50), be operated on that part of the State's highways
which is adjacent to their farms.

2. Motor vehicles licensed under any law which
requires a certificate of registration shall be
registered with the Department of Motor Vehicles
and the State Tax Commission prior to operation.

3. (Registration fees.) (a) (1) Except as provided in
Sub-section (2) of this section, the following registration
fees shall be paid in advance to the Department for the regi-
The Department shall pay to the County or Baltimore City, in which the owner of a passenger vehicle subject to the fee of $5.00 resides, the sum of $8.00, and if the owner also resides within the corporate limits of any municipality or special taxing area in a County, or in a special improvement district in Prince George's County, the municipality or special taxing area or special improvement district shall be entitled to receive from the County the sum of $2.50.

The Department shall pay to the County or Baltimore City in which the owner of a passenger vehicle subject to the fee of $23.00 resides, the sum of $8.00, and if the owner also resides within the corporate limits of any municipality or special taxing area in a County, or in a special improvement district in Prince George's County, this municipality or special taxing area or special improvement district shall be entitled to receive from the County the sum of $4.00.

The Department shall pay to the County or Baltimore City in which the owner of a Class B motor vehicle resides, the sum of $25.00, and if the owner also resides within the corporate limits of any municipality or special taxing area in a county, the municipality or special taxing area shall be entitled to receive from the County the sum of $12.50.

The Department shall pay to the County or Baltimore City in which the owner of a Class C motor vehicle resides, the sum of $10.00, and if the owner also resides within the corporate limits of any municipality or special taxing area in a county, the municipality or special taxing area shall be entitled to receive from the County the sum of $5.00.

There shall be returned to the County or Baltimore City,
in which the owner of motorcycles, motor-scooters, motor
bicycles, bicycles having motor attachments or similar ve-
hicles, resides, the sum of $2.00, and if the owner also re-
ides within the corporate limits of any municipality or
special taxing area in a County, or in a special improve-
ment district in Prince George's County, the municipality
or special taxing area or special improvement district shall
be entitled to receive from the County the sum of $1.00,
provided it has an indebtedness.
For the purpose of administering this section all acts of
the prior Board of County Commissioners of Prince
George's County in granting refunds hereunder to special
improvement districts in said County are hereby ratified
and confirmed.

(Class E. Pneumatic Tires.) Single unit commercial
motor vehicles with two or more axles, shall pay a regis-
tration fee based upon gross shipping weight of the chassis
and battery as certified by the manufacturer, with gross
weight limitations for the vehicles and load, as follows:

<table>
<thead>
<tr>
<th>Max. Gross Chassis Weight</th>
<th>Weight Limit</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 2,500</td>
<td>10,000</td>
<td>[$20.00] $30.00</td>
</tr>
<tr>
<td>2,501 to 4,000</td>
<td>17,000</td>
<td>[33.00] $38.50</td>
</tr>
<tr>
<td>4,001 to 5,000</td>
<td>20,000</td>
<td>[50.00] $4.00 per 1000, minimum $72.00</td>
</tr>
<tr>
<td>5,001 to 6,000</td>
<td>25,000</td>
<td>[95.00] $4.50 per 1000, minimum $94.50</td>
</tr>
<tr>
<td>6,001 to 7,500</td>
<td>32,000</td>
<td>[135.00] $5.00 per 1000, minimum $130.00</td>
</tr>
<tr>
<td>7,501 to 9,000</td>
<td>35,000</td>
<td>[175.00] $5.50 per 1000, minimum $170.50</td>
</tr>
<tr>
<td>9,001 to 11,000</td>
<td>40,000</td>
<td>$6.25 per 1000</td>
</tr>
<tr>
<td>11,001 to 15,000</td>
<td>45,000</td>
<td>[210.00] $7.00 per 1000, minimum $225.00</td>
</tr>
<tr>
<td>Over 15,000</td>
<td>50,000</td>
<td>$7.50 per 1000</td>
</tr>
<tr>
<td>15,001 to 20,000</td>
<td>55,000</td>
<td>[250.00] $8.00 per 1000, minimum $287.00</td>
</tr>
<tr>
<td>20,001 to 25,000</td>
<td>60,000</td>
<td>[325.00] $8.50 per 1000</td>
</tr>
<tr>
<td>25,001 to 30,000</td>
<td>65,000</td>
<td>[400.00] $9.00 per 1000</td>
</tr>
</tbody>
</table>

Provided any truck having 3/4 ton manufacturers' rating
capacity and under shall pay, $17.00 $25.00.

The Department shall pay to the County or Baltimore
City in which the owner of a Class E motor vehicle resides,
the following sums for such vehicles as per chassis weight
as shown above:

<table>
<thead>
<tr>
<th>Weight</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>3/4 ton or less</td>
<td>$5.00</td>
</tr>
<tr>
<td>Over 3/4 to 2,500</td>
<td>5.00</td>
</tr>
<tr>
<td>2,501 to 4,000</td>
<td>8.00</td>
</tr>
<tr>
<td>4,001 to 5,000</td>
<td>15.00</td>
</tr>
<tr>
<td>5,001 to 6,000</td>
<td>20.00</td>
</tr>
<tr>
<td>6,001 to 7,500</td>
<td>35.00</td>
</tr>
<tr>
<td>7,501 to 9,000</td>
<td>35.00</td>
</tr>
<tr>
<td>Over 9,001</td>
<td>50.00</td>
</tr>
</tbody>
</table>

If the owner of any such vehicle also resides within the
corporate limits of any municipality or special taxing area
in a county, such municipality or special taxing area shall
If such vehicle is a single unit truck owned by a farmer and qualified as a farm truck, as those terms are defined herein below, it shall pay a registration fee based upon gross shipping weight of the chassis and battery as certified by the manufacturer, with gross weight limitations for the vehicle and load, as follows:

<table>
<thead>
<tr>
<th>Max. Gross Weight Limit</th>
<th>Chassis Weight</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>$17.00</td>
<td>Over ¾ ton and up to 2,500</td>
<td>$25.00</td>
</tr>
<tr>
<td>$17.00</td>
<td>2,501 to 5,000</td>
<td>$25.00</td>
</tr>
</tbody>
</table>

The Department shall pay to the County or Baltimore City in which the owner of a Class E farm truck resides the following sums for such motor vehicles as per chassis weight as shown above:

<table>
<thead>
<tr>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 2,500</td>
</tr>
<tr>
<td>2,501 to 5,000</td>
</tr>
</tbody>
</table>

The term "farmer" as used in this sub-section shall mean any person or corporation engaged in raising, growing and producing farm products on a farm of not less than three acres in area. "Farm products" shall include food for consumption by humans or livestock, tobacco, shrubbery, flowers and plants, seed, livestock and livestock products, poultry and poultry products, products of the farm wood lot, and fibers. To be eligible for a farm truck license, the truck must be owned by a farmer and must be used solely in the business of the farm and farm home, in hauling farm products and the labor, the supplies, the equipment and other material necessary to the operation of the farm and the farm home. A farm truck shall not be used for hire, nor shall it be used by the owner in any business other than his farm operations as defined herein.

Any farmer applying for a farm truck license shall make affidavit as to his status and as to the proposed use of such motor vehicle, in such form as may be required by the Department. Procurement of a farm truck license through misrepresentation, false pretenses or fraud shall be a misdemeanor and upon conviction any person guilty thereof shall be subject to a fine of $50. The use of a farm truck in a manner other than as provided in this sub-section shall be a misdemeanor and upon conviction any person guilty thereof shall be subject to a fine of $10.00. Upon the second or any subsequent conviction against any farmer for either illegal procurement of a farm truck license or illegal use of a farm truck, the Department shall revoke the registration and the right of re-registration of such vehicle as a farm truck, for a period of one year thereafter, in addition to the fine imposed; such revocation shall be mandatory.

The privilege of registering as a farm truck shall be available only to Class E motor vehicles with a chassis weight of more than ¾ ton and not exceeding 5,000 pounds, as enumerated herein above. Except as particularly provided otherwise, the provisions of law as to Class E, Pneumatic Tire motor vehicles in general shall apply also to Class E, Pneumatic Tire farm trucks.
(Class F. Pneumatic Tires.) (a) Truck-tractors, tractors, or traction engines, or any other similar motor vehicles used for propelling, supporting or drawing a trailer or semi-trailer shall pay a registration fee of $85.00.

(b) Upon receipt of an application in proper form for the registration of semi-trailers operated under the shuttle or relay system, it shall be the duty of the Department, after due investigation, to issue additional registration plates not exceeding one additional for each truck-tractor registered by the owner and the fee for such additional trailer shall be one-half the regular registration fee.

(c) This charge shall not apply to farm tractors being operated by farmers in connection with their farming operations when traveling upon the public highways or streets of this State, on which shall be imposed in lieu thereof a flat fee of $6.00. No charge shall be made for farm tractors where such tractor is being used in hauling farm wagons or implements in connection with farming operations, or for farm tractor hauled trailers of farmers using highways and not going a distance greater than five miles. The term “farmer” as used in this section means any person or corporation engaged in the raising, growing and producing of farm products on a farm of not less than three acres in area, and who is not hauling farm products previously acquired by him for resale or hauling same for others for hire.

The Department shall pay to the County or Baltimore City in which the owner of a Class F motor vehicle resides, the sum of $30.00, and if the owner also resides within the corporate limits of any municipality or special taxing area in a county, the municipality or special taxing area shall be entitled to receive from the county the sum of $15.00. In the case of farm tractors, the payment to the county shall be $2.00 and if the owner also resides in a municipality or special taxing area, such municipality or taxing area shall be entitled to receive from the county the sum of $1.00.

(Class G. Pneumatic Tires.) (a) Registration fees for trailers and semi-trailers shall be based upon gross shipping weight as certified by the manufacturer, with gross weight limits for the vehicle and load, as follows:

<table>
<thead>
<tr>
<th>Max. Gross Chassis Weight</th>
<th>Weight Limit</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 300</td>
<td>3,000</td>
<td><strong>[$7.00]</strong> $10.00</td>
</tr>
<tr>
<td>301 to 500</td>
<td>5,000</td>
<td><strong>[$12.00]</strong> $18.00</td>
</tr>
<tr>
<td>501 to 1,000</td>
<td>10,000</td>
<td><strong>[$23.00]</strong> $35.00</td>
</tr>
<tr>
<td>1,001 to 2,500</td>
<td>34,000</td>
<td><strong>[$115.00]</strong> $5.50 per 1000, minimum $165.00</td>
</tr>
<tr>
<td>2,501 to 3,500</td>
<td>38,000</td>
<td><strong>[$145.00]</strong> $6.00 per 1000, minimum $210.00</td>
</tr>
<tr>
<td>45,000</td>
<td><strong>[$200.00]</strong> $7.00 per 1000, minimum $276.00</td>
<td></td>
</tr>
<tr>
<td>Over 3,501</td>
<td>50,000</td>
<td>$7.50 per 1000, minimum $345.00</td>
</tr>
<tr>
<td></td>
<td>55,000</td>
<td><strong>[$230.00]</strong> $8.00 per 1000, minimum $408.00</td>
</tr>
</tbody>
</table>

(b) Upon receipt of an application in proper form for
the registration of semi-trailers operated under the shuttle
or relay system, it shall be the duty of the Department,
after due investigation, to issue additional registration
plates, not exceeding one additional for each two truck-
tractors registered by the owner without extra cost and the
fee for any additional trailers other than those hereinabove
specified but not exceeding one for each two truck-tractors
shall be one-half the regular registration fee.

The Department shall pay to the County or Baltimore
City in which the owner of a Class G motor vehicle resides,
the following sums for such vehicles as per chassis weight
as shown above:

<table>
<thead>
<tr>
<th>Weight Range</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 300</td>
<td>$2.00</td>
</tr>
<tr>
<td>301 to 500</td>
<td>2.00</td>
</tr>
<tr>
<td>501 to 1,000</td>
<td>8.00</td>
</tr>
<tr>
<td>1,001 to 2,500</td>
<td>15.00</td>
</tr>
<tr>
<td>2,501 to 3,500</td>
<td>25.00</td>
</tr>
<tr>
<td>Over 3,501</td>
<td>30.00</td>
</tr>
</tbody>
</table>

If the owner of any such vehicles also resides within the
corporate limits of any municipality or special taxing area
in a county, such municipality or special taxing area shall
be entitled to receive from the county one-half (1/2) of the
fee paid to the county for such vehicle.

(Class I. Pneumatic Tires.) All buses operating under
charter or for hire, exclusive of those operating on a regu-
larly fixed schedule, and between fixed termini, shall pay
annual registration fees as follows:

<table>
<thead>
<tr>
<th>Seating Capacity</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>29 or fewer</td>
<td>$110.00</td>
</tr>
<tr>
<td>30 to 37</td>
<td>$140.00</td>
</tr>
<tr>
<td>38 to 45</td>
<td>$170.00</td>
</tr>
<tr>
<td>46 or over</td>
<td>$215.00</td>
</tr>
<tr>
<td>47 or over</td>
<td>$210.00</td>
</tr>
<tr>
<td>48 or over</td>
<td>$260.00</td>
</tr>
</tbody>
</table>
The Department shall pay to the County or Baltimore City in which the owner of a Class I motor vehicle resides, the sum of $35.00, $40.00, $50.00 or $60.00 depending on the seating capacity, as described above, and if the owner also resides within the corporate limits of any municipality or special taxing area in a county, the municipality or special taxing area shall be entitled to receive from the County the sum of $17.50, $20.00, $25.00, or $30.00 depending on the seating capacity as described above.

(Class J. Solid Tires.) All commercial motor vehicles equipped with solid or cushion rubber tires shall pay a registration fee twice that specified for the corresponding class of pneumatic tire equipped motor vehicles including twice the minimum fee established in these classes, and an additional fee in each instance of $25.00 in lieu of taxes, the said $25.00 to be paid to the County or Baltimore City where the owner resides, and if the owner also resides in a municipality, such municipality shall be entitled to receive $12.50.

(Class K. Dealer.) Fifteen ($25.00) Dollars for the first [two sets] set of registration plates issued to each manufacturer, dealer or distributor in motor vehicles other than motorcycles registered under the provisions of Section 59 of this Article and Five ($5.00) Ten ($10.00) Dollars for each additional set of registration plates issued each such manufacturer, dealer, or distributor. Such registration plates shall be interchangeable among the cars owned or used by each manufacturer, dealer or distributor during the current year in which issued.

(Class L. Motorcycle Dealer.) Eight ($8.00) Dollars per annum for [the first: four] each registration plate [s] issued a dealer in motorcycles [and Five ($5.00) Ten ($10.00) Dollars for each additional plate issued such dealer], such plates to be interchangeable as in the case of dealers in other motor vehicles.

(Class M. Used Car Dealer.) Fifteen ($15.00) Dollars for the first [two] set [s] of registration plates issued to each dealer in used or second-hand motor vehicles, and Five ($5.00) Ten ($10.00) Dollars for each additional set of registration plates.

(Class N. In-Transit Registration Plates.) Fifteen ($15.00) Dollars for each set of registration plates issued to such transporter.

(2) Domestic Corporations, the shares of which are subject to taxation under the law, and railroads, public utilities and contract carriers, the operating property of which is assessed by the State Tax Commission, shall pay for the registration plates and certificates of registration issued by the Department of Motor Vehicles for the designated classes of vehicles set forth in Sub-section (1) of this section, the amount of registration fees prescribed in said Sub-section (1) less the portion of such registration fees which the Department would otherwise be required to pay to any County or Baltimore City; and the Department shall not be required to pay any portion of the amount of
registration fees fixed under the provisions of this Sub-
section (2) to any County or Baltimore City.

1 (Class O. Transporters of Used Cars.) [Twenty-five
2 ($25.00) Fifteen ($15.00) for the first [two sets] set of
3 registration plates issued to each transporter of used ve-
4 hicles and [Five ($5.00)] Ten ($10.00) Dollars for each
5 additional set of registration plates.

1 (Class P. Repaiers of Vehicles.) [Twenty-five ($25.00)
2 Fifteen ($15.00) Dollars for the first [two sets] set of
3 registration plates issued to each repairer of vehicles and
4 [Five ($5.00)] Ten ($10.00) Dollars for each additional
5 set of registration plates, the said vehicles to be used only
6 for the transportation of vehicles to their place of business
7 for repairs and to return said vehicles to their customers.

1 (Class Q. Wreckers of Vehicles.) [Twenty-five ($25.00)
2 Fifteen ($15.00) Dollars for the first [two sets] set of
3 registration plates issued to each wrecker and [Five
4 ($5.00)] Ten ($10.00) Dollars for each additional set of
5 registration plates, the said vehicles to be used only to
6 tow wrecked vehicles or vehicles to be wrecked to their
7 place of business, and under no circumstances to be used
8 on vehicles owned and used by them in connection with
9 their business.

1 (Class R. Finance Companies.) [Twenty-five ($25.00)
2 Fifteen ($15.00) Dollars for the first [two sets] set of
3 registration plates issued to each finance company and
4 [Five ($5.00)] Ten ($10.00) Dollars for each additional
5 set of registration plates, said plates and tags to be used
6 by them only on vehicles repossessed and under no circum-
7 stances to be used on vehicles owned or operated by said
8 companies in connection with their business.

1 (Class S. Transporters of New and Used Cars and
2 Trailers.) [Twenty-five Dollars ($25.00) Fifteen Dollars
3 ($15.00) for the first [two sets] set of registration plates
4 issued to each transporter of such vehicles and [Five Dol-
5 lars] Ten Dollars for each additional set of registration
6 plates.

1 (2). Domestic Corporations, the shares of which are sub-
2 ject to taxation under the law, and railroads, public utili-
3 ties and contract carriers, the operating property of which
4 is assessed by the State Tax Commission, shall pay for the
5 registration plates and certificates of registration issued
6 by the Department of Motor Vehicles for the designated
7 classes of vehicles set forth in Sub-section (1) of this
8 section, the amount of registration fees prescribed in said
9 Sub-section (1) less the portion of such registration fees
10 which the Department would otherwise be required to pay
11 to any County or Baltimore City; and the Department shall
12 not be required to pay any portion of the amount of regist-
13 ration fees fixed under the provisions of this Sub-section
14 (2) to any County or Baltimore City.

ARTICLE 81

1 269. (a) It shall be the duty of each owner of a motor ve-
2 hicle to be used in the interstate transportation of pas-
sengers for hire operating over State, State-aid, improved
county roads, and streets and roads of incorporated towns
and cities in the State of Maryland: (1) to secure a permit
from the Public Service Commission of Maryland to op-
erate over said roads and streets; (2) to present same to
the Commissioner of Motor Vehicles annually, at the time
and according to the method and provisions prescribed
by law for the making of applications for registration tags
in the case of all other motor vehicles; (3) to make an
application in writing for registration with the Commis-
sioner of Motor Vehicles, and to state in said application
 besides the other matters by law provided: (a) the seating
capacity for passengers of said motor vehicle; (b) the
route on which said motor vehicle is to be used; (c) whether
reserve or substitute motor vehicles are maintained by the
applicant to be used only in emergencies, and if so, the
number of such reserve and substitute motor vehicles and
a complete description of each, such motor vehicles when
in use to be designated by a special marker to be furnished
by the Commissioner of Motor Vehicles; (d) the length
of the route in miles on State, State-aid, improved county
roads, and streets and roads of incorporated towns and
cities, respectively, in the State of Maryland; (e) the
weight of the vehicle; and (f) the schedule under which
it shall be operated; and (4) for each such motor vehicle,
except reserve or substitute vehicle, a fee shall be paid to
the Commissioner of Motor Vehicles for certificates of reg-
istration issued by him, of \[one-thirtieth \((1/30)\)\] one-
twentieth \((1/20)\) of a cent per each passenger seat multi-
plied by the total number of miles that said application
shall show will be traveled by such motor vehicle over State,
State-aid, improved county roads, and streets and roads
of incorporated towns and cities in the State of Maryland,
during the year for which said certificate is issued, and no
other additional fees, licenses or tax, shall be charged by
the State or any County or municipal sub-division of the
State except the property tax and gasoline tax on gasoline
purchased in Maryland in respect to such vehicles or their
operation. For each such motor vehicle the Commissioner
of Motor Vehicles shall furnish a distinctive marker or
tag, which tag or marker shall be carried and displayed
in such manner as directed by the Commissioner of Motor
Vehicles.

(b) A copy of the application filed with the Commissioner
of Motor Vehicles shall be forwarded to the State Roads
Commission, which shall thereafter compute the fee payable
by such motor vehicle owner for each motor vehicle for
which application for registration has been made.

(c) Such computation shall be used upon the mileage to be
traversed by said motor vehicle upon all highways having
a hard, smooth surface, composed of gravel, shells, crushed
stone, concrete, paving blocks, asphalt, or other similar
substances.

(d) The State Roads Commission shall have authority, in
disputed cases, to determine which roads and streets upon
which such motor vehicles are to be operated should be
included in the computation.

(e) The State Roads Commission, after making such com-
putation, shall forthwith certify the same to the Commis-
sioner of Motor Vehicles, whereupon the fee shown to be
payable by said computation shall immediately be paid by such motor vehicle owner to the Commissioner of Motor Vehicles.

(f) Upon the filing of the application and the payment of the fees as herein provided, it shall be the duty of the Public Service Commission to grant the application, and the Commissioner of Motor Vehicles shall forthwith grant the license in accordance with said application.

271. The license fee prescribed by Section 269 shall not be applicable to any motor vehicle when such vehicle is operated exclusively on a route one fixed terminus of which is within the corporate limits of any territory under the jurisdiction of the Federal Government or of any municipality of this State, and the other fixed terminus of such route is not more than ten miles from the corporate limits of any such municipality or territory. For each such motor vehicle, including reserve and substitute vehicles, an annual fee shall be paid to the Commissioner of Motor Vehicles for certificates of registration issued by him, of [Four] Six Dollars ([$4.00] ($6.00) per each passenger seat, and no other additional fees, licenses or tax, shall be charged by the State or any county or municipal subdivision of the State, except the property tax and gasoline tax in respect to such vehicles and their operation. For each such motor vehicle, the Commissioner of Motor Vehicles shall furnish a distinctive marker or tag, which marker or tag shall be carried and displayed in such manner as directed by the Commissioner of Motor Vehicles.

ARTICLE 89B

18.

(B) (Controlled Access Arterial Highway.) The term "controlled access arterial highway" shall mean a major thoroughfare of two or more traffic lanes in each direction having the same characteristics, when completed, as an expressway except that the conflict of cross streams of traffic need not be eliminated at every intersection by means of grade separation structures.

(C) (Expressway.) The term "expressway" shall mean a major thoroughfare of two or more traffic lanes in each direction, designed to eliminate principal traffic hazards, and shall embrace all bridges, tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, and other structures which the Commission may deem necessary to the operation of the expressway, together with all property, rights, easements, franchises and interests acquired by the Commission for the construction and operation thereof, and having the following characteristics, when completed: (a) a median divider separating opposing traffic lanes to eliminate head-on collisions and side-swiping; (b) grade separation structures to eliminate the conflict of cross streams of traffic at all intersections; (c) points of access and egress limited to predetermined locations; (c) vertical curves of lengths sufficient to provide long sight distances; and (e) shoulders of widths adequate to permit vehicles to stop or park off traffic lanes.

26. The Motor Vehicle Revenue Fund, created as a special fund pursuant to the provisions of Section 303 of
Article 66½, shall be applied by the State Treasurer, upon warrants of the Comptroller, first for preserving that portion of the annual tax laid by Section 147E of this Article (1947 Supplement), and described therein as part of the license fee and franchise taxes with respect to trucks and commercial vehicles required to be paid pursuant to the provisions of Article 56 of the Annotated Code of Maryland; it being the intent hereof that, so long as any of the refunding and improvement bonds referred to in said Section 147E remain unpaid and outstanding, the said tax laid by said section shall not be repealed, diminished or applied to any other object and shall be deemed to continue as a charge upon the Motor Vehicle Revenue Fund. The balance of the monies paid into the Motor Vehicle Revenue Fund during any fiscal year shall be held and distributed by the State Treasurer, upon warrants of the Comptroller as follows:

1. Fifty per cent thereof shall be disbursed from time to time for the account of the State Roads Commission to the extent of funds required for paying such expenses of the State Roads Commission as are not properly allocable directly or on a prorated basis to projects constructed under Sections 20(e) and 155 of this Article, for maintenance and operation of the State Highway System, and for other maintenance. [The excess, if any, at the end of any fiscal year shall be added to the funds appropriated to the State Roads Commission for maintenance and operation of the State Highway System in the succeeding fiscal year.] The excess, if any, at the end of each fiscal year shall be used to establish a reserve for the maintenance and operation of the State Highway System sufficient to meet such expenditures through March of the following calendar year and any balance shall be transferred to the construction fund provided for by Section 20(e) of this Article.

2. Thirty per cent thereof shall be added to the share of the Gasoline Tax Fund allocated to the Mayor and City Council of Baltimore under Section 21 of this Article and shall be disbursed and used as therein provided.

3. Twenty per cent thereof shall be added to the portion of the Gasoline Tax Fund allocated for the benefit of the counties and municipalities of the State (except Baltimore City) under Section 22 of this Article and shall be disbursed and used as therein provided.

54A. The State Roads Commission, in addition to the powers granted in this Article, is hereby authorized and empowered to impose tolls on any highway that is part of the State Highway System or on any highway that may be constructed as part of the State Highway System and the State Roads Commission is hereby further authorized to fix and, from time to time, revise the schedule of tolls; provided, however, that the Commission shall not place tolls upon any highway that does not have each of its termini (a) at or within the limits of a city or town within this State or the District of Columbia, or (b) one terminus at a connection with a highway at the State boundary of another State or the District of Columbia and the other terminus at a city or town within this State or with a high-
way within this State recognized by the Commission as a principal traffic generating center. Provided further, however, that the Commission shall not impose tolls on any highway unless there is an alternate highway or route that may be traversed free of tolls. Said alternate highway or route may, however, be more circuitous and not of the same design and standards as the highway upon which tolls are placed.

154. Any project involving the construction of an expressway or of a controlled access arterial highway shall, when completed, have each of its termini (a) at or within the limits of a city or town of the State or the District of Columbia, which city or town is recognized by the Commission as a principal traffic generating center, or (b) one terminus at a connection with a highway or proposed highway at the State boundary of another State or the District of Columbia and the other terminus at or within the limits of a city or town within this State, or with a highway or route or proposed highway or route within this State which is recognized by the Commission as a principal traffic distribution, collection or disbursal artery. No expressway shall be constructed to serve a traffic volume of less than an average of 5,000 vehicles per day upon the completion of said expressway, and no controlled access arterial highway shall be constructed to serve a traffic volume of less than an average of 3,000 vehicles per day upon the completion of said controlled access arterial highway. Such traffic volumes shall be determined by the State Roads Commission employing standard methods of traffic count and prediction prior to the construction of said expressway or controlled access arterial highway.

Nothing herein is intended to prevent the Commission from having the authority to acquire by purchase, condemnation or otherwise sufficient property and rights to construct the second lane of an ultimate expressway or controlled access arterial highway at the same time it acquires the necessary property and rights to construct the first lane thereof. Provided that upon the completion of such expressway or controlled access arterial highway the provisions as to termini and traffic count above set forth are fulfilled.

Sec. 2. And be it further enacted, That Section 308(e) of Article 66½ of said Code, title "Motor Vehicles," subtitle "Operation of Vehicles Upon Highways," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

308.

(e). Subject to the provisions of Sections 28, 70, 80 and 124 of this Article, all monies received by the Department pursuant to the provisions of this Article shall be accounted for and remitted by the Department to the State Treasurer who, after first paying, or retaining a sufficient amount thereof to pay, all refunds of motor vehicle registration fees in this Article provided, all the salaries and expenses of the Department, the Traffic Court of Baltimore City, the salaries and other expenses of the State Roads Commission in enforcing the provisions of this Article limiting weight, height, width and length
of motor vehicles, [the Department of Maryland State Police and of the State Police Retirement System of the State of Maryland] and costs in dismissed cases pursuant to Section 292 of this Article, shall hold the balance of said monies in a special fund hereby created and known as the Motor Vehicle Revenue Fund, said fund to be thereafter held and distributed in accordance with the provisions applicable to said fund contained in Article 89B of the Annotated Code of Maryland.

SEC. 3. And be it further enacted, That this Act shall take effect July 1, 1953.
This bill is recommended by the Legislative Council pursuant to a proposal for study made by Senator Robert B. Kimble. Senator Kimble suggested that there had been some dissatisfaction among certain employees of the State Roads Commission who were working simply on a per diem basis and therefore were not eligible for the vacation and sick leave privileges accorded to other employees.

The present law makes it possible for any person who has been employed for two years to request a change in status which would carry with it vacation and sick leave privileges. The bill being proposed would reduce this period from two years to one year.

(Item No. 112)

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 5 of Article 89B of the Annotated Code of Maryland (1951 Edition) title “State Roads,” reducing the period after which certain employees of the State Roads Commission may apply for classification as a highway maintenance man.

1. Be it enacted by the General Assembly of Maryland, That Section 5 of Article 89B of the Annotated Code of Maryland (1951 Edition), title “State Roads,” be and it is hereby repealed and re-enacted, with amendments, to read as follows:

5. (a). Any person who for a period of [two years] one year has been employed continuously (including any period during which he was not so employed due to no fault of his own) by the State Roads Commission as a maintenance man, or on roadside beautification work, may apply to said Commission for classification as a Highway Maintenance Man.

(b). If the applicant satisfies said Commission (1) that he has been continuously employed in maintaining State roads and/or County roads, or on roadside beautification work, under State supervision during the preceding two years (including any period during which he was not so employed due to no fault of his own) and (2) that he is qualified as a Highway Maintenance Man, by passing an oral examination given by said Commission, then the Commission shall certify the name of the applicant to the State Employment Commissioner as a Highway Maintenance Man, and the State Employment Commissioner shall so classify the applicant, without any further examination or restriction, and when so classified shall be entitled to vacation and sick leave to the same extent as classified employees. It is not intended hereby that the Highway Main-
79A

23 tenance Men so created shall become a part of the classi-
24 fied service.
25 (c). All vacancies in the position of Highway Mainten-
26 ance Man shall be filled by the State Roads Commission.

1 Sec. 2. And be it further enacted, That this Act shall
2 take effect June 1, 1953.
JOINT RESOLUTION

Joint Resolution requesting the Attorney General to revise the existing Public General Laws and Public Local Laws of Maryland relating to highways and streets and to report thereon to the Governor.

WHEREAS, the highway laws have been amended from time to time, and have been the subject of piece meal and special legislation for many years; and

WHEREAS, it is desirable to have the whole subject matter of the laws rearranged, obsolete provisions repealed and the numerous local and special statutes broadened into statutes of general applicability wherever feasible; therefore be it

Resolved by the General Assembly of Maryland, That the Attorney General be and is hereby requested to study and review the existing Public General Laws and Public Local Laws relating to highways, to determine which sections are obsolete and should be repealed and to determine which local and special statutes can be replaced by statutes of general applicability, keeping in mind the principle that policy-making bodies should not be burdened with administrative detail, and that authority and responsibility at all levels should be clearly defined, and to recommend legislation for abandonment of roads which no longer serve a public use, and that he should make his report to the Governor and Legislative Council on or before September 1, 1954, to be submitted to the General Assembly at the next following session of the General Assembly; and be it further

Resolved, That the Attorney General is hereby authorized and directed to utilize the services and advice of appropriate State staff agencies and to employ outside assistance in the performance of its task; and be it further

Resolved, That the Governor make available to the Attorney General such funds as may be deemed necessary to pay the cost and expenses of making said study and report.
Explanation

This bill is recommended by the Legislative Council following proposals to make the school bus law more stringent submitted by Senator John Grason Turnbull of Baltimore County. The bill would increase the fines for a violation of the school bus law and also provide for a mandatory revocation or suspension of the driving license of the operator or chauffeur of any school bus for two convictions within a three-year period for separate violations of the school bus law.

Item No. 143

A BILL

ENTITLED

AN ACT to add Section 102 (c) to Article 661/2 of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles," sub-title "Administration—Registration—Titling," said new section to follow immediately after Section 102 (b) thereof, and to repeal and re-enact, with amendments, Sections 231 and 232 of said Article, sub-title "Operation of Motor Vehicles Upon Highways," increasing the fines for violation of the "School Bus Law" in Sections 220 to 233, inclusive, of said Article; providing that no fine imposed for violation of these sections shall be suspended and requiring that any person, when convicted of a second or any subsequent violation of the "School Bus Law", shall be subject to having his driving license suspended for at least thirty (30) days.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 102 (c) be and it is hereby added to Article 661/2 of the Annotated Code of Maryland (1951 Edition), title "Motor Vehicles," sub-title "Administration—Registration—Titling," said new section to follow immediately after Section 102 (b) thereof, and that Sections 231 and 232 of said Article, sub-title "Operation of Motor Vehicles Upon Highways," be and they are hereby repealed and re-enacted, with amendments, all to read as follows:

102.

(c). In addition to the foregoing provisions of this section and not in substitution thereof, the Department shall forthwith refuse, revoke or suspend the license of any operator or chauffeur upon receiving a report of a second or any subsequent final conviction, within a three-year period, not arising out of the same incident and concerning a violation of the "School Bus Law" in Sections 220-233, inclusive, of this Article. Such refusal, revocation or suspension shall be for a period of not less than thirty (30) days.
231. (Penalties. Operator Failing to Make Required Stop.) Any person operating a motor vehicle which fails to stop as required, when a school bus, with the stop signal set, stops to take on or discharge children, or who otherwise violates the provisions of this Article when such bus actually halts for the purpose of taking on or discharging children, shall be guilty of a misdemeanor and shall upon conviction be fined not less than Five Dollars ($5.00) nor more than Fifty Dollars ($50.00) nor more than One Hundred Dollars ($100.00). No fine imposed under the provisions of this section shall be suspended.

232. (Bus Owner or Operator Failing to Meet School Bus Regulations.) Furthermore, any school bus owner or operator permitting a school bus to be operated which does not meet the regulations mentioned in this Article or which violates any other provisions of this Article shall be guilty of a misdemeanor and shall upon conviction be fined not less than Five Dollars ($5.00) nor more than Fifty Dollars ($50.00) nor more than One Hundred Dollars ($100.00). No fine imposed under the provisions of this section shall be suspended.

Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
This bill is recommended by the Director of the State Department of Public Welfare. It would amend the Support of Dependents Act by providing that the courts of this State are authorized to handle cases involving the civil enforcement of support decrees without fees or other costs to the petitioner. It is cited that the imposition of fees and other costs has been one of the major hindrances to the effective operation of the Support of Dependents Act. The petitioner very frequently is receiving public assistance until support can be obtained and therefore is in no position to assume the burden of the fees and other costs.

Item No. 109

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Sections 11 and 12 of Article 89C of the Annotated Code of Maryland (1951 Edition), title “Support of Dependents,” sub-title “Civil Enforcement,” relating generally to the fees and costs imposed and to the procedure used in the enforcement of the provisions of this Article.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 11 and 12 of Article 89C of the Annotated Code of Maryland (1951 Edition), title “Support of Dependents,” sub-title “Civil Enforcement,” be and they are hereby repealed and re-enacted, with amendments, to read as follows:

11. Duty of Court of this State as Initiating State. (a) If the Court of this State acting as an initiating state finds that the petition sets forth facts from which it may be determined that the respondent owes a duty of support and that a court of the responding state may obtain jurisdiction of the defendant or his property, the court shall cause certified copies of the petition, the certificate and [an authenticated copy of] this Article to be transmitted to the Court of the responding State.

(b) In the event the petitioner makes oath that she is without sufficient funds to obtain personal counsel it shall be the duty of the City Solicitor of Baltimore City or the counsel to the County Commissioners of the respective counties to act, without charge to the petitioner on behalf of the petitioner.

(c) The Court of this State acting as an initiating state has discretion to discharge all duties imposed by this Article without fees or other costs to the petitioner. If the court so decides, it shall attach to the above-mentioned certificate a statement that, in its opinion the case is one which should be litigated without fees or other costs to the petitioner.
12. Duty of the Court of this State as Responding State.

(a) When the court of this State, acting as a responding state, receives from the court of an initiating state the aforesaid copies, it shall (1) docket the cause, (2) notify the State's Attorney of the jurisdiction, (3) set a time and place for a hearing, and (4) take such action as is necessary in accordance with the laws of this State to obtain jurisdiction.

(b) When any court of this State, acting as a responding State, shall receive a petition from a Court of an initiating State in any proceeding, whether civil or criminal, it shall be the duty of the State's Attorney of the jurisdiction to prosecute such cause.

(c) The court of this state acting as a responding state may, pursuant to the statement of the court of the initiating state or on its own initiative discharge all duties imposed by this Article without fees or other costs to the petitioner.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
This bill is recommended by the Legislative Council following proposals made by the Register of Wills for Baltimore County and the Chief Deputy Comptroller of the State for having financial institutions give a greater degree of cooperation in reporting withdrawals from joint bank accounts in instances which should be subject to an inheritance tax. The bill would require a reporting in such cases in order to improve the degree of collections.

Item No. 111

A BILL

ENTITLED

AN ACT to add a new section to Article 81 of the Annotated Code of Maryland (1951 Edition), title “Revenue and Taxes,” said new section to be known as Section 151A, to follow immediately after Section 151 of said Article and to be under the sub-title “Inheritance Tax,” requiring the reporting to the Register of Wills of any change or transfer of ownership involving or relating to property on which an inheritance tax applies.

SECTION 1. Be it enacted by the General Assembly of Maryland, That a new section be and it is hereby added to Article 81 of the Annotated Code of Maryland (1951 Edition), title “Revenue and Taxes,” said new section to be known as Section 151A, to follow immediately after Section 151 of said Article, to be under the sub-title “Inheritance Tax,” and to read as follows:

151A. Every person, association or corporation having custody or control over, or in any way accounting for, any property on which a tax applies under the provisions of this sub-title, shall promptly advise the Register of Wills of the proper county or of the City of Baltimore of any transfer or change of ownership involving or relating to such property.

SEC. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
Explanation

This bill is recommended by the Commission on Administrative Organization of the State in its Report on State-Local Fiscal Relations. It would restrict payment of State-collected, locally-shared revenues to municipalities raising a minimum of $1.00 per capita of revenue locally, remove the current treatment of certain special improvement districts as municipalities for purposes of receiving State-collected, locally-shared revenues, and make other changes in the distribution of funds to the political subdivisions.

(Item No. 55B(2))

A BILL

ENTITLED

AN ACT to repeal and re-enact with Amendments Section 21 of Article 89B of the Annotated Code of Maryland (1951 Edition), title “State Roads”, sub-title “Distribution and Use of Special Funds”, to add a new Sub-section to Section 22 of said Article and sub-title, said new Sub-section to be known as Sub-section (f), and to follow immediately after Sub-section (e) of said Section; to repeal and re-enact with amendments Section 200 of Article 81 of the said Code, title “Revenue and Taxes”, sub-title “Tax on Franchise to be a Corporation”; to repeal and re-enact, with amendments, Section 19(A) of Article 78B of said code, title “Racing Commission”, to repeal and re-enact with amendments Section 319 of Article 81 of said Code, title “Revenue and Taxes,” sub-title “Income Tax”; to repeal and re-enact with amendments Sub-section (b) of Section 22 of Article 89B of said Code, title “State Roads,” sub-title “Distribution and Use of Special Funds,” and to add a new section to Article 56 of said Code, title “Licenses”, sub-title “Mode of Issuing-General Provisions” to be known as Section 3A and to follow immediately after Section 3 of said Article, barring the payment or distribution of funds which the State shares with the several counties, the City of Baltimore and other municipalities and cities from being made to any such county, City of Baltimore or other municipality or city unless and until a minimum per capita revenue is raised locally by such county, City of Baltimore or other municipality or city, and relating to the method of distribution of state income taxes and of certain special funds to counties and municipalities.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 21 of Article 89B of the Annotated Code of Maryland (1951 Edition) title “State Roads”, sub-title “Distribution and Use of Special Funds”, be and the same is hereby repealed and re-enacted, with amendments, to read as follows:

Twenty-one. Thirty per cent of the monies paid into the Gasoline Tax Fund during any fiscal year, together with the
funds added thereto pursuant to Section 26(2) of this Article, shall be distributed monthly to the Mayor and City Council of Baltimore to be used for the construction, reconstruction, or maintenance of the streets and highways of the City of Baltimore, or for the payment of debt service with respect to bonds or other evidences of debt here-tofore or hereafter issued by the City of Baltimore for the construction, reconstruction or maintenance of streets and highways of the City of Baltimore, and for no other purposes: provided, however, that no such distribution shall be made to said Mayor and City Council of Baltimore unless it shall have levied, in its current fiscal year, taxes sufficient to collect a minimum of one dollar per capita in revenue and unless it shall have certified a copy of said levy to the State Comptroller; and provided further, that any moneys, otherwise distributable under this section, which shall not be distributed at the close of the fiscal year of the Mayor and City Council of Baltimore because of failure of said Mayor and City Council to make such levy or certification, shall revert to the Gasoline Tax Fund, to be paid over separately to the State Roads Commission, for use by the Commission with the other moneys received from the Gasoline Tax Fund. Per capita revenue shall be computed for purposes of this section by using the population figures furnished by the latest Federal Census or by an official local census, whichever is latest.

SEC. 2. And be it further enacted, That a new Sub-section be added to Section 22 of Article 89B of said Code, title "State Roads", sub-title, "Distribution and Use of Special Funds", said new Sub-section to be known as Sub-section (e) and to follow immediately after Sub-section (d) of said Section 22, and to read as follows:

(e) No distribution as provided in this Section shall be made to any county or municipality, however, unless it shall have levied, in its current fiscal year, taxes sufficient to collect a minimum of one dollar per capita in revenue and unless it shall have certified a copy of said levy to the State Comptroller; and provided further, that any moneys, otherwise distributable under this section, which shall not be distributed at the close of the fiscal year of said county or municipality because of failure of said county or municipality to make such levy or certification, shall revert to the Gasoline Tax Fund to be paid over separately to the State Roads Commission, for use by the Commission with the other moneys received from the Gasoline Tax Fund. Per capita revenue shall be computed for purposes of this section by using the population figures furnished by the latest Federal Census or by an official local census, whichever is latest.

SEC. 3. And be it further enacted, That Section 200 of Article 81 of said Code, title "Revenue and Taxes", sub-title, "Tax on Franchise to be a Corporation" be and the same is hereby repealed and re-enacted with amendments, to read as follows:

200. All monies received by the State Tax Commission in payment of annual franchise taxes or interest or penalties thereon shall be forthwith paid over to the Treasurer, and the State Tax Commission shall account monthly to the Comptroller for the same. One-half of the said fran-
chise taxes, together with the interest and penalty, if any, shall be held by the Treasurer for the use of the State, and the other half shall be paid by him to the county or City of Baltimore where the principal office of said corporation shall be situated, but if such principal office be situated in a city, other than the City of Baltimore, said last mentioned one-half shall be equally divided between such city and the county in which the same is situated; provided, however, that no such payment or distribution shall be made to any county or city or to the City of Baltimore unless it shall have levied, in its current fiscal year, taxes sufficient to collect a minimum of one dollar per capita in revenue and unless it shall have certified a copy of said levy to the State Comptroller; and provided, further, that any moneys otherwise distributable under this section, which shall not be distributed at the close of the fiscal year of said county or city or the City of Baltimore because of the failure of said county or city or the City of Baltimore to make such levy or certification, shall revert to the General Fund of the State Treasury. Per capita revenue shall be computed for purposes of this section by using the population figures furnished by the latest Federal Census or by an official local census, whichever is latest.

SEC. 4. And be it further enacted, That Section 19(A) of Article 78B of said Code, title “Racing Commission,” be and the same is hereby repealed and re-enacted, with amendments, to read as follows:

19(A) All sums collected by the Racing Commission, under the provisions of this Article, shall be paid over to the Comptroller and shall be disbursed and distributed, except where otherwise provided, as follows:

(1) There are to be allocated and credited to the general funds of the State: (a) one-half of all revenues collected from licensees licensed under Section 7 of this Article; (b) one-half of all revenues collected from licensees licensed under Section 15 of this Article; (c) one-half of all revenues collected from the licensees licensed under Section 17 of this Article not required to be paid to the Maryland State Fair Board as provided in paragraph 3 of this sub-section;

(2) There shall be divided among and allocated and paid to the several counties of the State and to Baltimore City on the basis of population, according to the latest available Federal census: (a) one-half of all revenues collected from licensees licensed under Section 7 of this Article; (b) one-quarter of all revenues collected from licensees licensed under Section 15 of this Article; (c) one-half of all revenues collected from licensees licensed under Section 17 of this Article not required to be paid to the Maryland State Fair Board as provided in paragraph 3 of this sub-section; provided, however, that before payment of such revenues to the several Counties of the State and Baltimore City, the Comptroller shall first pay out of such revenues the sums required to be paid by Section 2 of Article 22 and thereafter the balance of such revenue shall be divided, allocated and paid to the several Counties and Baltimore City as hereinbefore provided; except that no funds shall be divided among, allocated or paid to any of the several counties of the State or to the City of Baltimore as aforesaid unless it shall have levied, in its current fiscal year,
taxes sufficient to collect a minimum of one dollar per capita in revenue and unless it shall have certified a copy of said levy to the State Comptroller; and provided further, that any moneys otherwise distributable as hereinbefore provided, which shall not be distributed at the close of the fiscal year of any such county or the City of Baltimore, or Baltimore County, because of failure of any county or the City of Baltimore to make such levy and certification, shall revert to the General Fund of the State Treasury. Per capita revenue shall be computed for purposes of this sub-section by using the population figures furnished by the latest Federal Census or by an official local census, whichever is latest.

(3) One-quarter of all revenues collected from licensees licensed under Section 15 of this Article and such portion of the revenues collected from licensees licensed under Section 17 of this Article as, together with one-quarter of all revenues collected from licensees licensed under Section 15 of this Article, including breakage paid to the Comptroller for the use of the Maryland State Fair Board under Section 16 of this Article, shall be equal to the sum of $250,000 and shall be allocated and paid to the Maryland State Fair Board and used for the promotion of State and County Agricultural Fairs and Exhibits.

(4) All revenues not hereinabove specifically allocated shall be credited to the general funds of the State.

SEC. 5. And be it further enacted, That Section 319 of Article 81 of said Code, title “Revenue and Taxes,” subtitle “Income Tax” be and the same is hereby repealed and re-enacted, with amendments, to read as follows:

319. (Distribution of Tax.) From the taxes collected under this sub-title, the Comptroller shall pay to each County of the State (and the word “County” as used herein shall mean and include the Mayor and City Council of Baltimore) an amount equal to the percentage of investment income and the percentage of other income, subject to tax under this sub-title, of the individual residents of said County, hereinafter specified. The amount to be distributed hereunder with respect to taxable income of the calendar year 1951 and thereafter, and of fiscal years ending in the calendar year 1951 and thereafter, shall be equal to 1.70% of all income taxable at the investment income rate, and 68% of all other income. Provided, however, that where the taxed income is that of a resident of an incorporated city, town or village, the municipality of any County, the amount to be so paid over and distributed by the Comptroller hereunder, attributable to such taxpayer, shall be equally divided between and paid over to the said incorporated city, town or village municipality, and said County, in equal shares. (For the purposes of this section, the special taxing areas in Montgomery County corresponding to incorporated towns or villages shall be treated as incorporated towns). Beginning with the income taxes payable for the calendar year 1952, if the taxpayer’s year is a calendar year, and for the fiscal year beginning in 1953 and ending in 1954, if the taxpayer’s year is a fiscal year, and continuing thereafter, no such distribution shall be made to any County or municipality unless it shall have levied, in its current fiscal year, taxes sufficient to collect a minimum of one dollar per capita of revenue and unless it shall have certified a copy of said levy to the State Compt-
troller; and provided further, that any moneys, otherwise
distributable under the provisions of this Section, which
shall not be distributed at the close of the fiscal year of
said county or municipality because of failure of said county
or municipality to make such levy and certification, shall
revert to the General Fund of the State Treasury. Per
capita revenue shall be computed for purposes of this sec-
tion by using the population figures furnished by the latest
Federal Census or by an official local census, whichever is
latest.

Every individual resident of Maryland making an in-
come tax return under this sub-title shall be required to
state on the tax return form furnished by the Comptroller
the name of the County and the name of the incorporated
(city, town or village) municipality in which he resides.

The remainder of the taxes collected shall be paid into
the general treasury of the State and distributed there-
from, in the manner and for the purposes set forth in the
Budget.

SEC. 6. And be it further enacted, That Sub-section (b)
of Section 22 of Article 89B of said Code, title "State
Roads," sub-title "Distribution and Use of Special Funds,"
be and the same is hereby repealed and re-enacted, with
amendments, to read as follows:

5a 22.

(b). If any municipality which is authorized by law
to construct or maintain streets or roads shall request the
State Roads Commission in writing not later than thirty
days prior to the beginning of any State fiscal year for its
share of the funds distributable under this section, the
State Roads Commission during such fiscal year shall al-
dicate for the county or such municipality a portion of the
share as first determined in Sub-section (a) hereof of the
county within which the municipality lies. Such portion
shall be determined by the proportion which the total mile-
age of county roads in the municipality bears to the total
mileage of county roads in such county. The portion so
determined shall be the municipality's share for the pur-
pose of this section. [In the distribution of the shares
pursuant to this sub-division, the special improvement dis-
tricts in Prince George's County shall be treated as municip-
alsities, but the payments made hereunder shall be re-
tained by the County Commissioners of said county as
credits to said districts, and shall be applied toward the
cost of maintenance of such streets and roads in the said
districts so long as it has an indebtedness.]

SEC. 7. And be it further enacted, That a new section
be added to Article 56 of said Code, title "Licenses", sub-
title "Mode of Issuing-General Provisions", to be known
as Section 3A, to follow immediately after Section 3 of
said Article and to read as follows:

3A. No funds shall be divided among, allocated or paid
to any of the several counties of the State or to the City
of Baltimore as provided in Section 3 of this Article unless
it shall have levied, in its current fiscal year, taxes suf-
ficient to collect a minimum of one dollar per capita in
revenue and unless it shall have certified a copy of said
levy to the State Comptroller; and provided further, that
any moneys otherwise distributable as hereinbefore pro-
vided, which shall not be distributed at the close of the
fiscal year of any such county or the City of Baltimore
because of failure of any county or the City of Baltimore
to make such levy and certification, shall revert to the Gen-
eral Fund of the State Treasury. Per capita revenue shall
be computed for purposes of this section by using the
population figures furnished by the latest Federal Census
or by an official local census, whichever is latest.

SEC. 8. And be it further enacted, That this Act shall
take effect July 1, 1953.
This bill is recommended by the Green Commission as a solution to the problem of teachers' salaries. It would raise the minimum schedule of teachers' salaries by $300 for the next two years, subject to certain modifications. Then, beginning in 1955-1956, the salary schedule for teachers with degrees would start at $2,800, with two $100 and eight $200 annual increments thereafter. For the first two years, the political sub-divisions would be required to hold the level of salaries reached at December 1, 1952, and the State will reimburse the political sub-divisions for the actual cost of such increases, and after that time the tax rate required to share in the Equalization Fund would be raised from 6½ to 7½. The terms of the bill have been approved by the State Department of Education, the State Auditor's office, and the Budget Director.

Item No. 152

**A BILL**

ENTITLED

AN ACT to repeal and re-enact, with amendments, Sections 102, 209 and 213 of Article 77 of the Annotated Code of Maryland (1951 Edition), title “Public Education,” sub-titles “Chapter 8, Teachers' Certificates and Salaries,” and “Chapter 19. Source and Distribution of Income,” providing for the minimum schedules of salaries to be paid to public school teachers in this State for the school year 1955-1956 and thereafter and providing also for the minimum salaries payable to public school teachers in this State during the school years of 1953-1954 and 1951-1955; making general provision for the financing and other details of such salary payments; removing obsolete provisions from said sections; and generally amending the laws of this State concerning public schools.

1. **SECTION 1.** Be it enacted by the General Assembly of Maryland, That during the school years 1953-1954 and 1954-1955, being respectively in the State fiscal years ending on June 30, 1954, and June 30, 1955, subject to the other provisions of this Act and notwithstanding anything to the contrary in Paragraph 1 of Section 102 of Article 77 of the Annotated Code of Maryland (1951 Edition, as amended), every teacher, without a degree, holding a regular first grade or higher certificate shall receive a salary of not less than the amount specified in the following schedule, for the year of teaching applicable to him or her:

<table>
<thead>
<tr>
<th>Year of Teaching</th>
<th>Minimum Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>13 1st</td>
<td>$2,300.00</td>
</tr>
<tr>
<td>14 2nd</td>
<td>$2,400.00</td>
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<tr>
<td>15 3rd</td>
<td>$2,500.00</td>
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<tr>
<td>16 4th</td>
<td>$2,700.00</td>
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<tr>
<td>17 5th</td>
<td>$2,900.00</td>
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<tr>
<td>18 6th</td>
<td>$3,100.00</td>
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<tr>
<td>19 7th</td>
<td>$3,300.00</td>
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<tr>
<td>20 8th</td>
<td>$3,500.00</td>
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<tr>
<td>21 9th</td>
<td>$3,700.00</td>
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<tr>
<td>22 10th</td>
<td>$3,900.00</td>
</tr>
<tr>
<td>23 11th and after</td>
<td>$4,100.00</td>
</tr>
</tbody>
</table>
SEC. 2. And be it further enacted, That during the school years 1953-1954 and 1954-1955, being respectively in the State fiscal years ending on June 30, 1954, and June 30, 1955, subject to the other provisions of this Act and notwithstanding anything to the contrary in Paragraph 2 of Section 102 of Article 77 of the Annotated Code of Maryland (1951 Edition, as amended), every teacher, with a degree, holding a regular Bachelor of Science, Academic, Special, Vocational, or higher certificate shall receive a salary of not less than the amount specified in the following schedule, for the year of teaching applicable to him or her:

<table>
<thead>
<tr>
<th>Year of Teaching</th>
<th>Minimum Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>2nd</td>
<td>2,600.00</td>
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<tr>
<td>3rd</td>
<td>2,700.00</td>
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<tr>
<td>4th</td>
<td>2,900.00</td>
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<tr>
<td>5th</td>
<td>3,100.00</td>
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<tr>
<td>6th</td>
<td>3,300.00</td>
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<tr>
<td>7th</td>
<td>3,500.00</td>
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<tr>
<td>8th</td>
<td>3,700.00</td>
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<tr>
<td>9th</td>
<td>3,900.00</td>
</tr>
<tr>
<td>10th</td>
<td>4,100.00</td>
</tr>
<tr>
<td>11th and after</td>
<td>4,300.00</td>
</tr>
</tbody>
</table>

SEC. 3. And be it further enacted, That during the school years 1953-1954 and 1954-1955, being respectively in the State fiscal years ending on June 30, 1954, and June 30, 1955, (a) any teacher having charge of a two-teacher school shall receive $200 per school year more than the appropriate foregoing schedule requires. A principal of a school, holding a regular principal's certificate, shall receive the following amount in excess of the appropriate schedule required for teachers as provided in Section 1 and Section 2 of this Act for schools with the following number of assistant teachers:

<table>
<thead>
<tr>
<th>Number of Assistants</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two to five</td>
<td>$300</td>
</tr>
<tr>
<td>Six to nine</td>
<td>400</td>
</tr>
<tr>
<td>Ten or more</td>
<td>600</td>
</tr>
</tbody>
</table>

(b) The principal of a school, holding a regular principal's certificate, who has completed at least one year of required work beyond the bachelor's degree, shall receive the following amounts in excess of the schedule provided for teachers with degrees in Section 2 for schools with the following number of assistant teachers:

<table>
<thead>
<tr>
<th>Number of Assistants</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>One</td>
<td>$400</td>
</tr>
<tr>
<td>Two to five</td>
<td>500</td>
</tr>
<tr>
<td>Six to nine</td>
<td>700</td>
</tr>
<tr>
<td>Ten to fourteen</td>
<td>900</td>
</tr>
<tr>
<td>Fifteen to nineteen</td>
<td>1000</td>
</tr>
<tr>
<td>Twenty to twenty-nine</td>
<td>1100</td>
</tr>
<tr>
<td>Thirty or more</td>
<td>1200</td>
</tr>
</tbody>
</table>

(c) Notwithstanding anything to the contrary in Paragraph 5 of Section 102 of Article 77 of the Annotated Code of Maryland (1951 Edition, as amended) the salary of a teacher holding a regular second grade certificate shall be $1,600.00; and the salary of a teacher holding a regular third grade certificate shall be $1,400.00.
(d) The salary of a teacher or principal holding a provisional certificate shall be $200 less per school year than that required for a teacher or principal holding a regular certificate for the same grade.

(e) The County Board of Education of any county and the Board of School Commissioners of Baltimore City may, in its discretion, pay to teachers and principals annual salaries in excess of the salaries provided for in this section.

(f) The County Commissioners of each county and the Mayor and City Council of Baltimore shall levy sufficient funds to meet the schedule of salaries herein established.

SEC. 4. And be it further enacted, That Section 102 of Article 77 of the Annotated Code of Maryland (1951 Edition), title "Public Education," sub-title "Chapter 8. Teachers Certificates and Salaries," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

102. (a). No teachers or principals regularly employed in public schools in the counties and in Baltimore City [of the State of Maryland] shall receive salaries less than the amounts provided for in the following schedules for varying amounts of training and successful experience; [provided that teachers and principals having twelve years' or less experience prior to September 1, 1947 shall receive the salary in the new schedule corresponding with their years of experience, and teachers and principals having more than twelve years' experience prior to September 1, 1947 shall be placed on the new schedule corresponding with the twelfth year of experience; each subsequent year thereafter they shall receive one increment on the salary schedule;] but no teacher or principal whose certificate is rated by the county superintendent as second class, as provided in Section 100 shall receive any salary increment based on experience.

(1) No teacher, without a degree, holding a regular first grade or higher certificate shall receive a salary of less than $2,000 per school year during the first year of service; $2,100 per school year for the second year of service; $2,200 per school year for the third year of service; $2,300 per school year for the fourth year of service; $2,400 per school year for the fifth year of service; $2,500 per school year for the sixth year of service; $2,600 per school year for the seventh year of service; $2,700 per school year for the eighth year of service; $2,800 per school year for the ninth year of service; $2,900 per school year for the tenth year of service; $3,000 per school year for the eleventh year of service; $3,100 per school year for the twelfth year of service; $3,200 per school year for the thirteenth year of service; $3,300 per school year for the fourteenth year of service; $3,400 per school year for the fifteenth year of service; $3,600 per school year for the sixteenth year and each succeeding year of service thereafter.

(b) Beginning with the school year 1955-1956, and continuing thereafter, subject to the other provisions of this Act, every teacher, without a degree, holding a regular first grade certificate or higher certificate shall receive a salary of not less than the amount specified in the following schedule, for the year of teaching applicable to him or her:
### Table: Minimum Salary Schedule

<table>
<thead>
<tr>
<th>Year of Teaching</th>
<th>Minimum Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>27 1st</td>
<td>$2,600.00</td>
</tr>
<tr>
<td>28 2nd</td>
<td>$2,700.00</td>
</tr>
<tr>
<td>29 3rd</td>
<td>$2,800.00</td>
</tr>
<tr>
<td>30 4th</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>31 5th</td>
<td>$3,200.00</td>
</tr>
<tr>
<td>32 6th</td>
<td>$3,400.00</td>
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<tr>
<td>33 7th</td>
<td>$3,600.00</td>
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<tr>
<td>34 8th</td>
<td>$3,800.00</td>
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<tr>
<td>35 9th</td>
<td>$4,000.00</td>
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<tr>
<td>36 10th</td>
<td>$4,200.00</td>
</tr>
<tr>
<td>37 11th and after</td>
<td>$4,400.00</td>
</tr>
</tbody>
</table>

[(2)](95A) No teacher, with degree, holding a regular Bachelor of Science, Academic, Special, Vocational, or higher certificate, shall receive a salary less than the amount provided for in the following schedule for varying amounts of successful experience; no teacher, with degree, holding a regular certificate shall receive a salary less than $2,200 per school year during the first year of service; $2,500 per school year for the second year of service; $2,400 per school year for the third year of service; $2,500 per school year for the fourth year of service; $2,600 per school year for the fifth year of service; $2,700 per school year for the sixth year of service; $2,800 per school year for the seventh year of service; $2,900 per school year for the eighth year of service; $3,000 per school year for the ninth year of service; $3,100 per school year for the tenth year of service; $3,200 per school year for the eleventh year of service; $3,300 per school year for the twelfth year of service; $3,400 per school year for the thirteenth year of service; $3,500 per school year for the fourteenth year of service; $3,600 per school year for the fifteenth year of service; $3,700 per school year for the sixteenth year of service; $3,800 per school year for the seventeenth year and each succeeding year of service thereafter.

[(c)](95A) Beginning with the school year 1955-1956, and continuing thereafter, subject to the other provisions of this Act, every teacher, with a degree, holding a regular Bachelor of Science, Academic, Special, Vocational, or higher certificate shall receive a salary of not less than the amount specified in the following schedule, for the year of teaching applicable to him or her:

<table>
<thead>
<tr>
<th>Year of Teaching</th>
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</thead>
<tbody>
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<td>30 1st</td>
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<td>31 2nd</td>
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</tr>
<tr>
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<td>$2,800.00</td>
</tr>
<tr>
<td>33 4th</td>
<td>$3,000.00</td>
</tr>
<tr>
<td>34 5th</td>
<td>$3,200.00</td>
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<tr>
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<td>$3,400.00</td>
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<tr>
<td>36 7th</td>
<td>$3,600.00</td>
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<tr>
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<td>$3,800.00</td>
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<tr>
<td>38 9th</td>
<td>$4,000.00</td>
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<tr>
<td>39 10th</td>
<td>$4,200.00</td>
</tr>
<tr>
<td>40 11th and after</td>
<td>$4,400.00</td>
</tr>
</tbody>
</table>

[(d)](95A) Beginning with the school year 1955-1956, for the purpose of the calculation of payments to be made to the Board of Education of any County or the Mayor and City Council of the City of Baltimore under the Equalization Fund formula as used by the State Department of Education, the State minimum salary schedule for the basis of
such calculation for every teacher, with a degree, shall be according to the following schedule:

<table>
<thead>
<tr>
<th>Year of Teaching</th>
<th>Minimum Salary</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st</td>
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<tr>
<td>4th</td>
<td>$3,100.00</td>
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<tr>
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<td>$3,800.00</td>
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<td>12th</td>
<td>$3,900.00</td>
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<tr>
<td>13th</td>
<td>$4,000.00</td>
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<tr>
<td>14th</td>
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<tr>
<td>15th</td>
<td>$4,200.00</td>
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<tr>
<td>16th</td>
<td>$4,300.00</td>
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<tr>
<td>18th</td>
<td>$4,500.00</td>
</tr>
<tr>
<td>19th and after</td>
<td>$4,600.00</td>
</tr>
</tbody>
</table>

(e) In each and every school year after the 1955-1956 year, being in each and every State fiscal year ending on June 30, after June 30, 1956, for the basis of calculation of payments to the Board of Education of any County or the Mayor and City Council of Baltimore under the Equalization Fund established in Article 77, the State minimum salary schedule set forth in Sub-section (d) of this Section shall be revised according to the following provisions:

In the first fiscal year beginning after June 30, 1956, the scale for the fourth year of teaching experience shall be increased to $3,200., with an addition of $100. per year for each additional year of teaching experience up to the maximum of $3,600.

In the second fiscal year beginning after June 30, 1956, the scale for the fifth year of teaching experience shall be increased to $3,400., with an addition of $100. per year for each additional year of teaching experience up to the maximum of $4,800.

In the third fiscal year beginning after June 30, 1956, the scale for the sixth year of teaching experience shall be increased to $3,600., with an addition of $100. per year for each additional year of teaching experience up to the maximum of $4,800.

In the fourth fiscal year beginning after June 30, 1956, the scale for the seventh year of teaching experience shall be increased to $3,800., with an addition of $100. per year for each additional year of teaching experience up to the maximum of $4,800.

In the fifth fiscal year beginning after June 30, 1956, the scale for the eighth year of teaching experience shall be increased to $4,000., with an addition of $100. per year for each additional year of teaching experience up to the maximum of $4,800.

In the sixth fiscal year beginning after June 30, 1956, the scale for the ninth year of teaching experience shall be
increased to $4,200., with an addition of $100., per year for each additional year of teaching experience up to a maximum of $4,600.

In the seventh fiscal year beginning after June 30, 1956, the scale for the tenth year of teaching experience shall be increased to $4,400.00, with an addition of $100. per year for each additional year of teaching experience up to a maximum of $4,600.

Beginning with the eighth fiscal year after June 30, 1956, and thereafter, the scale for the eleventh year of teaching experience and thereafter shall be $4,600.00, and the salary schedule as set forth in sub-section (e) above for teachers, with a degree, will thereupon and thereafter coincide with the minimum salary schedule as set forth in sub-section (e) of Section 102 of Article 77, as amended by this Act.

Beginning with the school year 1956-1957 being in the State fiscal year ending on June 30, 1957, and each year thereafter, each teacher and principal shall be entitled to one annual increment in accordance with his or her qualifications and years of teaching experience, until the maximum is reached in accordance with this section.

(f) Provided, however, that for the basis of calculation of payments to the Board of Education of any County or the Mayor and City Council of the City of Baltimore under the Equalization Fund established in Article 77, for every teacher, without a degree, the amounts set forth in the schedules under sub-sections (d) and (e) of this section shall be reduced by $200.00 for each year of teaching experience. And provided further that for the basis of calculation of payments to the Board of Education of any County or the Mayor and City Council of the City of Baltimore sub-sections (g), (h), (i), (j), (k), (l), and (m) of this Section shall be applied.

(g) For the school year 1955-1956 and thereafter, any such teacher having charge of a two-teacher school, shall receive $200 per school year more than the appropriate foregoing schedule requires. A principal of a school, holding a regular principal's certificate, shall receive the following amount in excess of the appropriate schedule required for teachers as provided in Sub-section (1) (b) or Sub-section (2) (c) of this Section for schools with the following number of assistant teachers:

- Two to five assistants ................................ $300
- Six to nine assistants ................................. 400
- Ten or more assistants ............................... 600

(h) For the school year 1955-1956 and thereafter, the principal of a school, holding a regular principal's certificate, who has completed at least one year of required work beyond the bachelor's degree, shall receive the following amounts in excess of the schedule provided for teachers with degrees in Sub-section (2) (c) for schools with the following number of assistant teachers:

- One assistant ........................................... $400
- Two to five assistants ............................... 500
- Six to nine assistants ............................... 700
- Ten to fourteen assistants ......................... 900
- Fifteen to nineteen assistants ..................... 1000
Twenty to twenty-nine assistants .......... 1100
Thirty or more assistants .................... 1200

[(5)] (i) For the school year 1955-1956 and thereafter, the salary of a teacher holding a regular second grade certificate shall be $1300; and the salary of a teacher holding a regular third grade certificate shall be $1100.

[(6)] (j) For the school year 1955-1956 and thereafter, the salary of a teacher or principal holding a provisional certificate shall be $200 less per school year than that required for a teacher or principal holding a regular certificate for the same grade.

(k) Each teacher or principal who enters the public school system of any political sub-division in Maryland shall receive a salary equal to that which is paid to a teacher or principal having equivalent experience and grade of certificate who is already in the public school system of that political sub-division.

[(7)] (l) The County Board of Education of any county and the Board of School Commissioners of Baltimore City may, in its discretion, pay to teachers and principals annual salaries in excess of the salaries provided for in this section.

[(8)] (m) The County Commissioners of each county and the Mayor and City Council of Baltimore shall levy sufficient funds to meet the schedule of salaries herein established.

SEC. 5. And be it further enacted, That during the school years 1953-1954 and 1954-1955, being respectively in the State fiscal years ending June 30, 1954 and June 30, 1955, each teacher and principal, not receiving a salary according to the schedules set forth in Section 1, Section 2 and Section 3 of this Act, shall be entitled to a salary increase of $300.00 in the school year 1953-1954, in excess of the salary received at December 1, 1952 in accordance with such teacher's years of teaching experience, and shall be entitled to a further salary increase of $300.00 in the school year 1954-1955, or a total increase of $600. In excess of the salary received at December 1, 1952 in accordance with such teacher's years of teaching experience; provided, however, that such salary increase of $300.00 in each such respective school year shall be paid only to the extent that it would not result in the salary received by any such teacher being in excess of the amounts as set forth in Section 1, Section 2 and Section 3 of this Act in accordance with the qualifications and teaching experience of any such teacher. Provided, further, that any County or Baltimore City may pay at its own expense salaries in excess of those provided in Sections 1, 2 and 3 of this Act.

SEC. 6. And be it further enacted, That during the school years 1953-1954 and 1954-1955, being respectively in: the State fiscal years ending on June 30, 1954 and June 30, 1955, no moneys shall be paid from the State Treasury to or on account of any of the Boards of Education of the counties of this State, or the Mayor and City Council of Baltimore City, pursuant to the provisions of this Act, in any amount or amounts in excess of those to be paid according to the provisions of Article 77 of the Annotated Code of Maryland (1951 Edition), unless and until the
State Comptroller and the State Department of Education shall have received satisfactory assurances from the Board of Education of each such political sub-division, respectively, that during the particular year it will pay the teachers therein according to a salary schedule which is not less in any particular than that paid by the political sub-division as of December 1, 1952. If the Board of Education of any County or the Mayor and City Council of Baltimore during the school years 1953-1954 and 1954-1955 shall pay its teachers according to a salary schedule which is less in any particular than that paid as of December 1, 1952, after having received from the State Treasury in either year any such excess funds under the provisions of this Act, the amount so paid shall be deducted and withheld from the next subsequent payment or payments of such excess funds to the Board of Education of any County or the Mayor and City Council of Baltimore under the provisions of this Act, until the amount paid is equalled by the amount deducted and withheld. The amount deducted and withheld shall be returned to the general funds of the State.

SEC. 7. And be it further enacted, That during the school years 1953-1954 and 1954-1955, being respectively in the State fiscal years ending on June 30, 1954 and June 30, 1955, and notwithstanding anything to the contrary in Article 77 of the Annotated Code of Maryland (1951 Edition, as amended), if the Board of Education of any County or the Mayor and City Council of the City of Baltimore shall be required by reason of the provisions of Section 1, Section 2, Section 3 or Section 5 of this Act to pay its teachers according to a salary schedule which is greater in any particular than the salary schedule paid as of December 1, 1952, the State shall pay to the Board of Education of any County or the City of Baltimore an amount of money equal to the net aggregate of such payments in excess of the salary schedule in effect at December 1, 1952, in any such county or the City of Baltimore.

(a) Provided, however, that such payments to the Board of Education of any County or the Mayor and City Council of the City of Baltimore shall be made independently from and in addition to any payments made during the school years 1953-1954 and 1954-1955, being respectively in the State fiscal years ending on June 30, 1954, and June 30, 1955, under the Equalization Fund established in Article 77, and provided further that during the school years 1953-1954 and 1954-1955, being respectively in the State fiscal years ending on June 30, 1954, and June 30, 1955, the calculation of payments to be made to the Board of Education of any County or the Mayor and City Council of Baltimore under the Equalization Fund formula as used by the State Department of Education shall be based on the State minimum salary schedule in effect at December 1, 1952.

SEC. 8. And be it further enacted, That during the school years 1953-1954 and 1954-1955, being respectively in the State fiscal years ending June 30, 1954, and June 30, 1955, the Board of Education of each County and the Mayor and City Council of the City of Baltimore shall each be entitled to, and shall be paid in each such respective year, the sum of forty dollars ($40.00) and the sum of eighty dollars ($80.00) for each classroom unit in operation in such County or City, respectively, computed on a full-time
teacher basis. Such payments of forty dollars ($40.00) and eighty dollars ($80.00) in each such respective year shall be made in addition to any payments provided for in Section 213 of Article 77, as amended by this Act. Provided, however, that for the school year 1955-1956, being in the State fiscal year ending June 30, 1954, the sum of twenty dollars ($20.00), and for the school year 1954-1955, the sum of forty dollars ($40.00) of these respective payments shall not be included in the calculations for the Equalization Fund as provided for in Section 209 of Article 77 of the Annotated Code of Maryland (1951 Edition, as amended). Except as specifically otherwise provided in this section, the provisions of Sections 209 and 213 of said Article shall apply and be effective for the financial assistance herein provided.

SEC. 9. And be it further enacted, That Section 209 and 213 of Article 77 of the Annotated Code of Maryland (1951 Edition), title "Public Education," sub-title "Chapter 19. Source and Distribution of Income," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

209. (a) All money appropriated subsequent to the enactment of this section, by the General Assembly of the State of Maryland and the receipts from any State public school tax levied by the General Assembly, to aid in support of public schools, shall constitute what shall be known as the General State School Fund.

(b) The Comptroller shall charge against and pay as hereinafter or hereinafter provided from the General State School Fund, the annual appropriation made by the General Assembly for the support of the State Department of Education, including the expenses of the State Board of Education, and the support and expenses of the office of the State Superintendent of Schools; the annual appropriation for the maintenance and support of the State Teachers College at Towson, of the State Teachers College at Frostburg, of the State Teachers College at Salisbury, State Teachers College in Baltimore City; the annual appropriation for the Maryland Teachers Retirement System; the annual appropriation for part payment by the State of the salaries of county superintendents and of the superintendent of schools of Baltimore City, and of the supervising teachers or helping teachers in each of the several Counties and the City of Baltimore; the annual appropriation for payment by the State of two-thirds (2/3) of the salary of one supervisor of pupil personnel in each county and Baltimore City, and of one or more visiting teachers in the larger counties and Baltimore City; the annual appropriation for the education of handicapped children, the annual appropriation for administration and supervision of vocational education in public high and vocational schools, for physical education and recreation, for medical examination of teachers and school bus drivers, for case and guidance service for handicapped individuals needing vocational rehabilitation, for equivalence examinations, for public libraries, and for adult education; the annual appropriation per classroom unit as required in this Article; the annual appropriation per pupil enrolled as required in this Article; such special appropriations to be...
known as an incentive fund for the purpose of granting
State aid to the counties and to the City of Baltimore to
finance the construction of school buildings and school
facilities, as may from time to time be made by budget bill
or supplementary appropriation bill, to the boards of educa-
tion of each County and to the Mayor and City Council of
Baltimore; and such special appropriations to be known as
an Equalization Fund, as may from time to time, be made
by budget bill or supplementary appropriation bill, to the
County boards of education of certain Counties and to the
Mayor and City Council of the City of Baltimore, to enable
them to pay the minimum salaries prescribed in this Article
for high school and elementary school teachers and the
necessary costs of transporting pupils to public schools
when such transportation is approved by the State Super-
intendent of Schools. [and provided, that]

(c) The Board of County Commissioners of each of the
several Counties and the Mayor and City Council of Balti-
more to be eligible to share in the Equalization Fund shall
levy an annual tax for the schools of not less than sixty-five
cents (65¢) on each One Hundred Dollars ($100) of assess-
able property, exclusive of the amount levied for debt service
and capital outlay for the schools, provided, however, that
beginning as of July 1, 1955 and continuing thereafter, the
Board of County Commissioners of each of the several
Counties and the Mayor and City Council of Baltimore
City, to be eligible to share in the Equalization Fund, shall
levy an annual tax for the schools of not less than 75¢ on
each $100 of assessable property, exclusive of the amount
levied for debt service and capital outlay for the schools.
[provided, further, that]

(d) In any county, all funds which the County Board
of Education and the Mayor and City Council of Baltimore
may be authorized to expend for schools, other than State
appropriations, and other than funds received by the Coun-
ty Commissioners of each County and the Mayor and City
Council of Baltimore from the Commissioner of Motor Ve-
hicles on account of the license fees on motor vehicles,
Classes A to J, inclusive, as more particularly set forth
hereinbelow, and exclusive of the amount authorized to be
expended for debt service and capital outlay, may, for the
purposes of the above proviso, be considered as levied by
the Board of County Commissioners and by the Mayor and
City Council of Baltimore, irrespective of the source or
sources from which such funds may be derived; provided,
further, that the County Commissioners of each County and
the Mayor and City Council of Baltimore shall allocate and
credit to the school funds of said County or the City of
Baltimore the percentage of the amounts received from
the Commissioner of Motor Vehicles on account of the
license fees on motor vehicles, Classes A to J, inclusive,
which the school tax rate in said County or in the City of
Baltimore bear to the total County or Baltimore City tax
rate; and provided further, that the County Board of
Education in each of the several Counties and the Board
of School Commissioners of Baltimore City eligible to share
in the Equalization Fund shall expend no less than twenty
per centum (20%) of the total budget, not including costs
of transportation, debt service and capital outlay, for pur-
poses other than teachers' salaries. But no such appro-
priation to any County, except as heretofore in this section
provided, or to any academy, or to any college or university may be paid from the General State School Fund.

213. (a) The Board of Education of each County and the Mayor and City Council of Baltimore shall be entitled to, and shall be paid, each year in the manner and subject to the limitations hereinafter provided, Four Hundred Dollars ($400.00) or such sum in excess thereof as may be provided in the budget, for each classroom unit in operation in such County or City, respectively, [for which a full time teacher is employed] computed on a full-time teacher basis. Provided, however, that for the school year 1955-1956 and continuing thereafter, the Board of Education of each county and the Mayor and City Council of Baltimore shall be entitled to and shall be paid each year in the manner and subject to the limitations hereinafter provided, $600, or such sum in excess thereof as may be provided in the Budget for each classroom unit in operation in such county or city, respectively, computed on a full-time teacher basis. [provided that] The financial assistance herein authorized shall not be available or given to any County or to Baltimore City wherein any teacher receives a salary lower than that established by Section 102 of this Article.

(b). The State Superintendent of Schools shall certify to the Comptroller on or before the last day of July and September, the tenth day of December, the last day of January, March and May, one-sixth of the annual sum due the County Board of Education of each County and the Mayor and City Council of Baltimore hereunder, and thereupon the Comptroller shall within five days of the above said dates draw his warrant on the Treasurer of the State of Maryland for the respective amounts due to the said Boards of Education and to the Mayor and City Council of Baltimore, and the Treasurer of the State of Maryland, upon receipt of said warrants shall immediately pay the amount due on said dates to said respective Boards of Education and to the City of Baltimore.

SEC. 10. And be it further enacted, That during the school years 1953-1954 and 1954-1955, each teacher or principal who enters the public school system of any political sub-division in Maryland shall receive a salary equal to that which is paid to a teacher or principal having equivalent experience and grade of certificate who is already in the public school system of that political sub-division.

SEC. 11. And be it further enacted, That all laws, regulations, resolutions or ordinances inconsistent with the provisions of this Act be and the same are hereby repealed to the extent of such inconsistency.

SEC. 12. And be it further enacted, That this Act shall take effect July 1, 1953.
This bill is recommended by the Legislative Council following its consideration of a series of proposals for the amendment of the Unemployment Compensation Laws made by the Maryland Industrial Union Council, CIO. The Council also had before it some recommendations from the Advisory Council to the Employment Security Board. The bill, in its present form, would make such changes as increasing maximum benefits to $20 per week, permit part-time employment to the amount of $5 per week, requiring that benefits paid to dependents should be paid from the General Fund, establishing definite terms for the members of the Advisory Council and otherwise amending the Unemployment Compensation Laws.

Item No. 37

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Sections 3 (b) (1), 3 (b) (2), 3 (c), 3 (d), 4 (e), 7 (c) (6), 11 (e) and 19 (n) (1) of Article 95A of the Annotated Code of Maryland (1951 Edition), title “Unemployment Compensation”, sub-titles “Benefits”, “Contributions”, “Administration” and “Definitions”, and to add Section 7 (c) (4) (iii) to said Article, sub-title “Contributions”, to follow after Section 7 (c) (4) (ii) thereof increasing the maximum benefits under the Unemployment Compensation Laws, providing that benefits paid to dependents shall be charged against the General Fund, amending the laws as to the duration and computation of benefits, providing for a definite term for the members of the State Advisory Council and generally amending and revising the laws of this State concerning unemployment compensation and employment security.

1 SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 3 (b) (1), 3 (b) (2), 3 (c), 3 (d), 4 (e), 7 (c) (6), 11 (e) and 19 (n) (1) of Article 95A of the Annotated Code of Maryland (1951 Edition), title “Unemployment Compensation”, sub-titles “Benefits”, “Contributions”, “Administration” and “Definitions”, be and they are hereby repealed and re-enacted, with amendments, and that Section 7 (c) (4) (iii) be and it is hereby added to said Article, to follow immediately after Section 7 (c) (4) (ii) thereof, sub-title “Contributions”, all to read as follows:

3.

(b) (1) Weekly Benefit Amount.

An individual’s weekly benefit amount shall be computed by dividing the total of the wages paid him for insured work in that calendar quarter of his base period in which such total wages were highest, by twenty-six (26), and by carrying the resulting quotient to the nearest even dollar; except that if said quotient ends in .50, it shall be
(2) Weekly Benefits for Unemployment.

Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount plus allowance for dependents, less that part of the wages (if any) payable to him with respect to such week which is in excess of $2.00; provided that such amount of benefits, if not a multiple of $1.00, shall be computed to the nearest multiple of $1.00, except that if such amount ends in .50 it shall be carried to the next higher multiple of $1.00.

(c) Allowances for Dependents.

An individual receiving weekly benefit payments under this section shall, during the period he receives such payments, be paid a weekly allowance of Two Dollars ($2.00) for each dependent child, not exceeding four, under sixteen (16) years of age.

Provided, however, that only one spouse shall receive weekly benefit payments under the provisions of this subsection.

Moneys paid as allowances for dependents under the provisions of this sub-section shall not be considered benefits for the purpose of computing weekly benefit amounts or duration of benefits, and shall not be charged against the experience rating account of any employer.

(d) Duration of Benefits.

Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to whichever is the lesser of (1) twenty-six times his weekly benefit amount plus allowance for dependents, and (2) one-third of the wages paid to him during his base period for insured work; provided that such total amount of benefits, if not a multiple of $1.00, shall be computed to the nearest multiple of $1.00, except that if such amount ends in .50 it shall be carried to the next higher multiple of $1.00.

(e) (1) During his base period he has been paid wages for insured work equal to not less than thirty (30) twenty-six (26) times his weekly benefit amount; and (2) during that calendar quarter of his base period in which his total wages were highest, he has been paid for insured work at least One Hundred and Fifty-six Dollars ($156.00).

(c) (4) (iii) The contribution rates assigned under the foregoing provisions of sub-sections 7 (c) (4) (i) and (ii) shall be subject to the following adjustments upon satisfaction of the conditions set forth herein below:

(1) For any calendar quarter, when, as of the beginning of the first day of the preceding calendar quarter, the total amount available for benefits in the Maryland Unemploy-
ment Compensation Fund is a sum which exceeds 10% of the total payrolls paid by all employers during the first four of the last five completed calendar quarters, which payrolls were subject to contributions and reported to the Board, all contribution rates shall be reduced by 0.3 except that those contribution rates which are already set at 0.3 shall be reduced only by 0.1 and those contribution rates which are already set at 0.2 shall not be further reduced. Provided, any employer whose benefit ratio as calculated under the provisions of Sub-section 7 (c) (4) (i) and (ii) exceeds 3% shall not be entitled to any reduction in contribution rate hereunder.

(2) For any calendar quarter, when as of the beginning of the first day of the preceding calendar quarter, the total amount available for benefits in the Maryland Unemployment Compensation Fund is a sum which equals or exceeds 7.5% but does not exceed 10% of the total payrolls paid by all employers during the first four of the last five completed calendar quarters, which payrolls were subject to contributions and reported to the Board, all contribution rates as shown in the table in Sub-section 7 (c) (4) (ii) shall prevail;

(3) For any calendar quarter, when as of the beginning of the first day of the preceding calendar quarter, the total amount available for benefits in the Maryland Unemployment Compensation Fund is a sum which equals or exceeds 6% but is less than 7.5% of the total payrolls paid by all employers during the first four of the last five completed calendar quarters, which payrolls were subject to contributions and reported to the Board, all contribution rates shall be increased by 0.3 except that those contribution rates which are established at 0.2 shall be increased by 0.1 and those contribution rates which are established at 2.7 shall not be further increased.

(4) For any calendar quarter, when as of the beginning of the first day of the preceding calendar quarter, the total amount available for benefits in the Maryland Unemployment Compensation Fund is a sum which exceeds 5% but is less than 6% of the total payrolls paid by all employers during the first four of the last five completed calendar quarters, which payrolls were subject to contributions and reported to the Board, all contribution rates shall be increased by 0.6 except that those contribution rates which are already set at 0.2 shall be increased by 0.4 and those contribution rates which are established at 2.4 shall be increased by 0.3 and those contribution rates which are established at 2.7 shall not be further increased.

(c) (6) No employer's rate shall be varied from the 2.7 per cent. rate, for any fiscal year unless, as of the preceding March 31 the total amount available for benefits in the Maryland unemployment fund equals or exceeds 5% of the total annual payrolls subject to contributions that were paid by all employers during the previous calendar year.

No employer shall pay at a contribution rate less than 2.7% for any quarter unless the amount available for benefits in the Maryland Unemployment Compensation Fund as of the beginning of the first day of the preceding quarter equals or exceeds the greater of:

(a) 5% of the total payrolls paid by all employers during the first four of the last five completed calendar quarters,
1953.
1953.
June
1, 1953.

shall
take

Sec.

2.

11.

(e) (Advisory Councils.) The [Board] Governor shall
appoint a State advisory council and the Board shall ap-
point local advisory councils, composed in each case of an
equal number of employer representatives and employee
representatives who may be fairly regarded as repres-
sentative because of their vocation, employment, or
affiliations, and of such members representing the general
public as the Board may designate. Such councils shall aid
the Board in formulating policies and discussing problems
related to the administration of this Article and in assur-
ing impartiality and freedom from political influence in
the solution of such problems. Such advisory councils shall
serve without compensation, but shall be reimbursed for
any necessary expenses. The indefinite terms of the mem-
ers of the State advisory council who are in office on June

1, 1953 shall be terminated as of that time. Immediately
thereafter and as of June 1, 1953, the Governor shall ap-
point to the State advisory council all members thereof
who held such positions immediately prior to June 1, 1953.
In making such reappointments, the Governor shall de-
signate them, respectively, for periods ranging from one
to six years if there are then six members of the State ad-
visory council. If there are fewer than six members of the
State advisory council eligible for reappointment under the
provisions of this sub-section, the Governor shall appoint
them for respective terms of from one year to a number
of years equal to the number of persons so to be appointed.
Thereafter, as each such stated term expires, the Gover-
nor shall appoint a person to a new term of six years. Noth-
ing in this sub-section shall be construed to prohibit the
reappointment to the State advisory council of any person
who has already served thereon.

19.

(n) (1) Prior to January 1, [1947] 1953, that part of
remuneration which, after remuneration equal to [3,000]
$3,600 has been paid to an individual by an employer with
respect to employment during any calendar year, is paid
to such individual by such employer with respect to em-
ployment occurring during such calendar year and after
December 31, 1939; and subsequent to December 31, [1946]
1952, that part of remuneration which, after remuneration
equal to [3,000] $3,600 has been paid during any calendar
year to an individual by an employer with respect to em-
ployment, is paid during such calendar year to such in-
dividual by such employer with respect to employment in
this State or any other State;

1 Sec. 2. And be it further enacted, That this Act shall
take effect June 1, 1953.
Explanation

This bill was recommended by Mr. Paul Wolman, Jr. The initial purpose of the bill is to correct a possible defect in the title of the Uniform Act to Secure the Attendance of Witnesses. This Act was passed in Maryland in 1937. It provides for securing the attendance of witnesses from other states at trials and also for securing the attendance of Maryland residents at trials in other states. However, the title of the Act of 1937 did not make provision for this latter phase of the Act. The present bill corrects the title in this respect and also adds provisions for admitting a witness to bail.

Item No. 99

A BILL

ENTITLED

AN ACT to repeal Sections 701 to 707, inclusive, of Article 27 of the Annotated Code of Maryland (1951 Edition), title “Crimes and Punishments,” sub-title “Witnesses,” and to enact in lieu thereof seven new sections to stand in the place and stead thereof and to be known as Sections 701 to 707, inclusive, making provision for securing the attendance of witnesses from without the State in criminal proceedings and grand jury investigations and for summoning witnesses in this State to testify in another State in criminal proceedings and grand jury investigations and making provision for admitting witnesses to bail.

WHEREAS, some question has been raised as to the possible effect of the title of the law which enacted the Uniform Act to Secure the Attendance of Witnesses which was enacted by Chapter 124 of the Acts of 1937; and

WHEREAS, the body of this Act makes provision for securing the attendance of witnesses from outside the State at trials held in Maryland and also for securing the attendance of witnesses at trials held in other states; and

WHEREAS, the title of Chapter 124 of 1937 does not mention that part of the Act which concerns securing the attendance of Maryland residents at trials in other states, thereby raising a possible question as to the sufficiency of the title; and

WHEREAS, it is desirable to cure any possible defect in the title of this Act and also to make provision for admitting witnesses to bail; now therefore

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 701 to 707, inclusive, of Article 27 of the Annotated Code of Maryland (1951 Edition), title “Crimes and Punishments,” sub-title “Witnesses,” be and they are hereby repealed and that seven new sections be and they are hereby enacted in lieu thereof, to stand in the
place and stead of the sections so repealed, said new sections to be known as Sections 701 to 707, inclusive, and to read:

701. "Witness," as used in this sub-title shall include a person whose testimony is desired in any proceeding or investigation by a Grand Jury or in a Criminal Proceeding.

The word "State" shall include any Territory of the United States and the District of Columbia.

The word "summons" shall include a subpoena, order or other notice requiring the appearance of a witness.

702. (a) (Summoning Witness in this State to Testify in Another State.) If a judge of a court of record in any state which by its laws has made provision for commanding persons within that state to attend and testify in this state certifies under the seal of such court that there is a criminal prosecution pending in such court, or that a grand jury investigation has commenced or is about to commence, that a person being within this State is a material witness in such prosecution, or grand jury investigation, and that his presence will be required for a specified number of days, upon presentation of such certificate to any judge of a court of record, in the county or City of Baltimore in which such person is, such judge shall fix a time and place for a hearing, and shall make an order directing the witness to appear at a time and place certain for the hearing.

(b) If at the hearing the judge determines that the witness is material and necessary, that it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution or a grand jury investigation in the other state, and that the laws of the state in which the prosecution is pending, or grand jury investigation has commenced or is about to commence, and of any other state through which the witness may be required to pass by ordinary course of travel, will give to him protection from arrest and the service of civil and criminal process, he shall issue a summons, with a copy of the certificate attached, directing the witness to attend and testify in the court where the prosecution is pending, or where a grand jury investigation has commenced or is about to commence at a time and place specified in the summons. In any such hearing the certificate shall be prima facie evidence of all the facts stated therein.

(c) If said certificate recommends that the witness be taken into immediate custody and delivered to an officer of the requesting State to assure his attendance in the requesting State, such judge may, in lieu of notification of the hearing, direct that such witness be forthwith brought before him for said hearing; and the judge at the hearing being satisfied of the desirability of such custody and delivery, for proof of such desirability may, in lieu of issuing subpoena or summons, order that said witness be forthwith taken into custody and delivered to an officer of the requesting State, provided, however, that the witness may be admitted to bail in such amount as may be fixed by such Judge, upon condition that the witness will appear at the time and place specified in the subpoena or summons served upon him.
(d) If the witness, who is summoned as above provided, after being paid or tendered by some properly authorized person the sum of Ten Cents a mile by the ordinary traveled route to and from the court where the prosecution is pending and Five Dollars for each day, that he is required to travel and attend as a witness, fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this state.

703. (a) (Witness From Another State Summoned to Testify in This State.) If a person in any state, which by its laws has made provision for commanding persons within its borders to attend and testify in criminal proceedings, or grand jury investigations commenced or about to commence, in this state, is a material witness in a prosecution pending in a court of record in this state, or in a grand jury investigation which has commenced or is about to commence, a judge of such court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. Said certificate may include a recommendation that the witness be taken into immediate custody and delivered to an officer of this state to assure his attendance in this state, unless the witness shall be admitted to bail by the appropriate authority, upon condition that the witness will appear at the time and place specified in the subpoena or summons served upon him. This certificate shall be presented to a judge of a court of record in the county in which the witness is found.

(b) If the witness is summoned to attend and testify in this state he shall be tendered the sum of Ten Cents a mile for each mile by the ordinary traveled route to and from the court where the prosecution is pending, and Five Dollars for each day that he is required to travel and attend as a witness. A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within this state a longer period of time than the period mentioned in the certificate, unless otherwise ordered by the Court. If such witness, after coming into this state, fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this state.

704. (a) (Exemption From Arrest and Service of Process.) If a person comes into this state in obedience to a summons directing him to attend and testify in this state he shall not while in this state pursuant to such summons be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this state under the summons.

(b) If a person passes through this state while going to another state in obedience to a summons to attend and testify in that state or while returning therefrom, he shall not while so passing through this state be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this state under the summons.

705. (Uniformity of Interpretation.) This sub-title shall
be so interpreted and construed as to effectuate its general purpose to make uniform the law of the states which enact it.

706. (Short Title.) This sub-title may be cited as "Uniform Act to Secure the Attendance of Witnesses from without a State in Criminal Proceedings."

707. If any provisions of this sub-title or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the sub-title which can be given effect without the invalid provision or application, and to this end the provisions of this sub-title are declared to be severable.

SEC. 2. And be it further enacted, That all laws, whether public general or public local, inconsistent with the provisions of this sub-title, be and they are hereby repealed to the extent of such inconsistency.

SEC. 3. And be it further enacted, That this Act shall take effect June 1, 1953.
This bill is recommended by the Legislative Council following its consideration of a series of proposals for the amendment of the Workmen's Compensation Law made by the Maryland Industrial Union Council, CIO. It makes a number of changes in the Workmen's Compensation Law, including the removal of the word "accidental" from the phrase "accidental personal injury", a change in the period of limitations from one year to two years, an increase in maximum payments for permanent total disability to Forty Dollars ($40.00) per week and a total of Twelve Thousand Five Hundred Dollars ($12,500), providing for payments for dependents, and eliminating the present three day waiting period.

Item No. 135.

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Sections 14, 35 (1) (a) and 38 of Article 101 of the Annotated Code of Maryland (1951 Edition), title "Workmen's Compensation", sub-titles "Suit—Method of Insurance" and "Claims and Compensation; Benefits"; to repeal Section 48 of said Article, sub-title "Claims and Compensation; Benefits", and to add Section 37A to said Article, to follow immediately after Section 37 thereof and to be under the sub-title "Claims and Compensation; Benefits", amending the Workmen's Compensation Laws concerning the injuries for which compensation is payable, the period of limitations for filing claims, the benefits payable for permanent total disability, and the waiting period, and otherwise generally amending the Workmen's Compensation Laws of this State.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Sections 14, 35 (1) (a) and 38 of Article 101 of the Annotated Code of Maryland (1952 Edition), title "Workmen's Compensation", sub-titles "Suit—Method of Insurance" and "Claims and Compensation; Benefits", be and they are hereby repealed and re-enacted, with amendments, and that Section 37A be and it is hereby added to said Article, to follow immediately after Section 37 thereof and to be under the sub-title "Claims and Compensation; Benefits", all to read as follows:

14. (a) Every employer subject to the provisions of this Article, shall pay or provide as required herein compensation according to the schedules of this Article for the disability or death of his employee resulting from an accidental personal injury sustained by the employee arising out of and in the course of his employment without regard to fault as a cause of such injury, except where the injury is occasioned by the wilful intention of the injured employee to bring about the injury or death of himself or of another, or where the injury results solely from the intoxication of the injured employee while on duty. Where
the injury is occasioned by the wilful intention of the injured employee to bring about the injury or death of himself or of another, or where the injury results solely from the intoxication of the injured employee while on duty, neither the injured employee nor any dependent of such employee shall receive compensation under this Article.

(b) The liability prescribed by the last preceding paragraph shall be exclusive, except that if an employer fails to secure the payment of compensation for his injured employees and their dependents as provided in this Article, an injured employee or his legal representative in case death results from the injury may, at his option, elect to claim compensation under this Article, or to maintain an action in the Courts for damages on account of such injury; and in such an action the defendant may not plead as a defense that the injury was caused by the negligence of a fellow servant or that the employee assumed the risk of his employment, or that the injury was due to the contributory negligence of the employee. If an employer, besides employing workmen in extra-hazardous employment within the meaning of this Article, shall also employ workmen in employments not extra-hazardous, the provisions of this Article shall apply only to the extra-hazardous employments within the meaning of this Article and the workmen employed therein, except as provided in Section 30 of this Article.

35. (1) (Permanent Total Disability.) (a) In case of total disability, adjudged to be permanent, sixty-six and two-thirds per centum of the average weekly wages shall be paid to the employee by the employer or insurer during the continuance of such total disability, not to exceed a maximum of Forty Dollars per week, and not less than a minimum of Fifteen Dollars per week, unless the employee's established weekly wages are less than Fifteen Dollars per week at the time of the injury, in which event he shall receive compensation in an amount equal to his average weekly wages plus a weekly allowance of Two Dollars for each dependent child, not exceeding four, under sixteen years of age, but not to exceed a total of $10,000.

$12,500. Loss or loss of use of both hands, or both arms, or both feet or both legs, or both eyes, or of any two thereof, shall, in the absence of conclusive proof to the contrary, constitute permanent total disability. In all other cases permanent total disability shall be determined in accordance with the facts.

37A. A statement concerning the injury and its occurrence may be taken from the injured employee by the employer or by the insurer, if at the time the employee is in control of his mental faculties and if he is notified of his right to be represented by counsel or to have a witness of his own choosing present. The employee shall be given a copy of any such statement when it is prepared, and failure to meet this requirement shall make the statement inadmissible in evidence in the case.

38. When an employee is entitled to compensation under this Article, he shall file with the Commission his application and the report of the physician, provided he was attended by a physician of his own selection, within sixty
113A

days after the beginning of his disability, for which compen-
sation is claimed, and failure to do so, unless excused
by the Commission, either on the ground that the insur-
ance carrier or the employer has not been prejudiced
thereby, or for some other sufficient reason, shall be a bar
to any claim under this Article; provided, however, that
failure of an employee to file a claim for compensation
within one year two years after the beginning of his
disability shall constitute a complete bar to any claim
under this Article, unless it shall be established that
failure to file such claim was induced or occasioned by
fraud, or by facts and circumstances amounting to an
estoppel, in which case the claim shall be filed within one
year two years from the time of the discovery of the
fraud, or within one year two years from the time when
the facts and circumstances amounting to an estoppel cease
to operate, and not afterwards.

When death results from injury, the parties entitled to
compensation under this Article, or someone in their be-
half, shall make application for same to the Commission,
within one year two years from the date of death, which
application must be accompanied with proof of death and
proof of relationship under this Article, certificates of
attending physician, if attended by a physician, and such
other proof as may be required by the rules of the Com-
mission.

1 SEC. 2. And be it further enacted, That Section 48 of
said Article 101, title “Workmen’s Compensation”, sub-title
“Claims and Compensation; Benefits”, be and it is hereby
repealed.

SEC. 3. And be it further enacted, That this Act shall
take effect June 1, 1953.
Explanation

This joint resolution is recommended by the Legislative Council as a result of a proposal made by the Maryland Industrial Union Council, C. I. O. The proposal was that rehabilitation clinics should be established under the Workmen's Compensation laws, so that injured workers could have the benefit of the best skill and knowledge available in their efforts to regain their earning capacity. Feeling that the idea has merit but that it needs more study in working out its details, the Council is submitting this joint resolution calling for such further study and investigation.

(Item No. 135A)

JOINT RESOLUTION

Joint Resolution requesting the Legislative Council to study the possibility of establishing rehabilitation clinics in connection with the Workmen's Compensation laws.

1 WHEREAS, the provisions now made for the rehabilitation of injured workers may not be sufficient to assure the injured worker the best possible assistance in his efforts to regain his earning capacity; and

2 WHEREAS, it would be of advantage to the injured workers in particular and to the State of Maryland in general if some effective plan could be devised to set up good rehabilitation clinics; and

3 WHEREAS, this is a subject which requires considerable investigation in working out its details and the organization of any such clinics; now therefore be it

12 Resolved by the General Assembly of Maryland, That the Legislative Council be requested to give detailed study to the possibilities for establishing rehabilitation clinics to operate within the Workmen's Compensation Laws, and to report the results of its studies, together with any recommendations, to the General Assembly.
Item No. 115

A BILL

ENTITLED

AN ACT to repeal and re-enact, with amendments, Section 35 of Article 66B of the Annotated Code of Maryland (1951 Edition), title “Zoning and Planning,” sub-title “Planning,” making the provisions of this sub-title applicable in every county in the State and thereby providing enabling legislation under which every county may set up a planning and zoning commission.

SECTION 1. Be it enacted by the General Assembly of Maryland, That Section 35 of Article 66B of the Annotated Code of Maryland (1951 Edition), title “Zoning and Planning,” sub-title “Planning,” be and it is hereby repealed and re-enacted, with amendments, to read as follows:

35. (Conflict with Other Laws.) Whenever the regulations made under authority of this sub-title require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or less number of stories, or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required in any other statute or local ordinance or regulations, the provisions of the regulations made under authority of this sub-title shall govern. Whenever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards, courts, or other open spaces, or require a lower height of building or a less number of stories, or requires a greater percentage of a lot to be left unoccupied, or impose other higher standards than are required by the regulations made under authority of this sub-title, the provisions of such statute or local ordinance or regulation shall govern; provided, however, that within the limits of the Maryland-Washington Regional District as said District is now or shall hereafter be defined by law, in Montgomery and Prince George's Counties—in which District there is now in effect city and regional planning and zoning, which are being administered by existing agencies under existing law—this sub-title shall be construed wherever possible as supplemental to Chapter
Sec. 2. And be it further enacted, That this Act shall take effect June 1, 1953.
PART III

MINUTES OF THE MEETINGS

OF THE

LEGISLATIVE COUNCIL OF MARYLAND
MINUTES
TWENTIETH MEETING

The Legislative Council of Maryland held its twentieth meeting on Tuesday afternoon, November 25th, 1952, at 2:00 P. M., with the following members present: Mr. Della, Chairman, presiding, and Messrs. Luber, Goldstein, Crothers, Kimble, Hoff, Turnbull, Turner; Redden, Boone, Lofstrand, White, McNulty, Green, Riggin, Derr and Robinson.

Mr. Boone, Chairman of the Budget and Finance Committee, presented the following report:

REPORT OF THE BUDGET AND FINANCE COMMITTEE
November 25, 1952.

To the Members of the Legislative Council:

The Budget and Finance Committee met at 5 P. M. on November 24th, 1952, with the following members present: Mr. Boone, Chairman, presiding, and Messrs. Luber, Goldstein, Kimble, Lofstrand, Redden, Robinson, Turner and Green.

The Committee gave detailed consideration to the recommendations of the Legislative Council's Special Committee on Racing and submits a favorable report, with amendments.

On Item No. 77, relating to membership in the Retirement System by certain elected or appointed officials, the committee recommends that the vote by which this bill was approved by the Legislative Council be reconsidered and that the bill be recommitted to the Budget and Finance Committee for clarifying amendments.

Respectfully submitted,

A. GORDON BOONE, Chairman.

On motion, the report of the Budget and Finance Committee was adopted.

The Chairman then read a letter from Mr. Harry Green, Chairman of the Maryland School and Finance Commission, relative to the drafting of Legislation to carry out the proposed changes in the salary scale for teachers. The Chairman asked that Dr. Everstine, Acting Secretary of the Legislative Council, meet with Mr. Green to work out legislation on this subject.

Mr. Redden, a member of the Commission, spoke generally of the Commission's views on the drafting of such legislation. He stated that the Commission wanted to be sure that the legislation would be in the right form and that the Legislative Council itself should work out the final draft to be submitted to the General Assembly.

Senator Kimble inquired as to the Report of the Commission on the Reorganization of the State Government on the subject of Personnel Administration, and asked that hearings be set on this report by the committee to which it has been referred. Accordingly, Senator Crothers, Chairman of the Judiciary Committee, set Tuesday, December 16th at 2:00 P. M. for the hearing on this report. Senator Kimble requested that Mr. Russell Davis and Mr. Charles Harris be invited to attend.
Mr. McNulty then spoke on the subject of a separate commission for the regulation of harness racing in Maryland. Mr. Boone stated that this recommendation was not a part of the Report of the Special Committee on Racing and therefore had not as yet been considered by the committee. He said it would be taken up at the next committee meeting.

Mr. Lofstrand then asked that the Legislative Council send letters of sympathy to Hon. Leona M. Rush of Montgomery County on the death of her husband and to Hon. Ray Barnes of Carroll County on the death of his wife. The secretary was instructed to send these letters.

Mr. Luber, Chairman of a sub-committee of the Budget and Finance Committee, then announced a special meeting with the City Solicitor of Baltimore and the Secretary of the State Tax Commission for the purpose of discussing amendments in the assessment laws. This meeting was scheduled for December 8th, 1952.

A hearing on Item No. 151—Consolidation of the Baltimore City Courts was set for Tuesday, December 9th, 1952, at 7:30 P. M. before the full Council.

Mr. Boone, Chairman of the Budget and Finance Committee, then announced meetings of the Budget and Finance for Tuesday, December 2, at 7:00 P. M. and Monday, December 8th, at 7:00 P. M.

Mr. Crothers, Chairman of the Judiciary Committee, announced meetings of the Judiciary Committee for Tuesday, December 9th at 2:30 P. M. and Tuesday, December 16th, at 11:00 A. M. and 2:00 P. M.

Mr. Goldstein then suggested that the remaining reports of the Commission on the Reorganization of the State Government be not considered, due to the lateness of their submission and the difficulties involved in considering such a volume of work in the time at the Council's disposal.

Mr. Redden stated that to his knowledge the Council had never received such a volume of reports within a short space of time as in this instance.

Senator Hoff stated that he felt it was the Council’s main purpose to consider such reports. Mr. Melnicove spoke in detail as to the duties of the Legislative Council, stating the Council was originally created to deal with broad general problems of State-wide application rather than individual recommendations on which there was no particular controversy or conflicting thought.

Mr. Luber pointed out that the Governor, at the time of his creation of the Sobeloff Commission, had called in the President of the Senate, the Speaker of the House and the majority and minority leaders in order to discuss the commission's work. Mr. Luber said it had been pointed out by the leaders of the General Assembly at that time that the work should be so planned and carried out as to give the Legislative Council sufficient time for careful consideration of the various reports.

Mr. Turnbull then moved for adjournment and the Council adjourned to meet at 7:30 P. M. on Tuesday, December 9th.
The twenty-first meeting of the Legislative Council was held in the City Council Chamber, City Hall, Baltimore, at 7:30 P.M. on December 9th, 1952. The following members were present: Mr. Della, Chairman, presiding, and Messrs. Luber, Goldstein, Crothers, Kimble, Turner, Melnicove, Boone, Dempsey, Lofstrand, White, McNulty, Green, Riggin and Robinson.

The Council conducted a hearing on Item No. 151, concerning consolidation of the several courts and offices of the clerks of court in Baltimore City. Senator Leroy W. Preston, who had made the proposal, spoke briefly in support of it. Chief Judge W. Conwell Smith of the Supreme Bench of Baltimore City, also supported the proposal and stated that such action had been recommended by the State Bar Association as early as the 1890’s. The Hon. Joseph Sherbow, former judge of the Supreme Bench, told the Council that consolidation would increase the efficiency of the Supreme Bench and would greatly improve the administration of justice by speeding up the handling of cases and the arrangements of dockets.

A letter was read from the Baltimore City Bar Association, stating that its members were currently giving consideration to the proposal.

Messrs. Thomas Herlihy and Frank Gray were present to speak in support of the proposed consolidation.

Mr. Boone, for the Budget and Finance Committee, reported the action of that committee concerning the proposal for a separate harness racing commission. He said that the Budget and Finance Committee was reporting the proposal without recommendation, having had a tie-vote on it in committee.

The Chairman read a letter from Senator Redden, who was unable to be present at the meeting, asking that his vote be recorded in the affirmative on this proposal. The Chairman ruled that a vote by proxy could not be accepted. Because of this ruling, Senator Crothers moved that the subject be laid over for a future meeting. After discussion, this motion was withdrawn.

Mr. John F. McNulty, who had sponsored the original proposal for a harness racing commission, altered the proposal to one to add two members to the present three-man Racing Commission, the two extra men to be representative of the harness tracks. He moved that a favorable report on this latter proposal be given. After considerable discussion, the proposal was recommitted to the Budget and Finance Committee.

The Hon. Wilmer Fell Davis, former member of the State Senate and of the Legislative Council, spoke briefly in favor of some representation for the harness racing interests.

Mr. Boone appointed a sub-committee to confer with the Commissioner of Motor Vehicles on the new manner of issuing automobile tags. Those appointed to the sub-committee were Messrs. Boone, Robinson, Luber and Kimble.

Senator Kimble reported to the Council that Senator McLaughlin had returned to his home from the hospital and is recovering. The Chairman appointed Senator Kimble as a committee of one
to arrange for sending to Senator McLaughlin some token from the members of the Legislative Council.

The Council adjourned to meet again on December 17th, 1952.

MINUTES
TWENTY-SECOND MEETING
Baltimore, Md., December 17th, 1952.

The twenty-second meeting of the Legislative Council was held in the City Council Chamber, City Hall, Baltimore, at 10:00 A.M. on Wednesday, December 17th. The following members were present: Mr. Della, Chairman, presiding, and Messrs. Luber, Goldstein, Crothers, Kimble, Turner, Hoff, Melnicove, Redden, Turnbull, Boone, Dempsey, White, McNulty, Green, Derr and Robinson.

The Council first took up consideration of Item No. 152—Teachers' Salaries. Mr. Harry J. Green was present to speak about the proposed bill for teachers' salaries. Also present were Messrs. Thomas G. Pullen, Jr., James G. Rennie, James L. Benson and Michael Potthast.

Mr. Green presented a set of amendments to the first draft of the bill. On motion, duly seconded and passed, the Council approved the bill with the amendments. Because of the possibility of other clarifying amendments being suggested to the bill, the Chairman appointed Messrs. Redden, Kimble, Della and Boone as a committee authorized to approve any such changes in the bill.

Mr. Boone then presented the following report to the Council from the Budget and Finance Committee:

REPORT OF BUDGET AND FINANCE COMMITTEE
To the Members of the Legislative Council:

The Budget and Finance Committee met on December 16th, with the following members present: Mr. Boone, Chairman, presiding, and Messrs. Luber, Kimble, Redden, Green and Goldstein. The committee considered the several items remaining on its agenda and makes the following recommendations:


Item No. 135—Workmen's Compensation:

Item No. 135(1)—Proposal to remove the word "accidental" from the phrase "Accidental Personal Injury." Favorable Report.

Item No. 135(2)—Proposal to increase the period of limitations in Workmen's Compensation from one year to three years. Approved to increase to two years.

Item No. 135(3)—Proposal to make the benefits for permanent total disability 66-2/3% of wages for the duration of the disability and also to give a de-
pendent's allowance of $4.00 per dependent per week. Approved to increase weekly payments from $32.00 to $40.00, maximum total disability from $10,000 to $12,500 and dependent weekly allowance of $2.00.

Item No. 135(4)—Proposal to establish rehabilitation clinics. Recommends further study by Legislative Council.

Item No. 135(5)—Proposal to eliminate the present three-day waiting period for the collection of Workmen's Compensation.

Favorable Report.

Item No. 135(6)—Proposal to have the employer notify the injured employee of his right to file a claim and also to give the injured employee a copy of any statement made by him.

Favorable report to require a copy of the statement to be given to the employee.

Item No. 37—Unemployment Compensation—

Item No. 37(1a)—Proposal to compute weekly benefit amount by dividing the highest calendar quarter wages by 20 times instead of 26.

Unfavorable Report.

Item No. 37(1b)—Proposal to increase maximum benefit to $30.00 a week.

Favorable Report.

Item No. 37(2)—Partial weekly benefit to be in excess of $5.00 instead of $2.00.

Favorable Report.

Item No. 37(3)—Dependent benefits to be paid from General Fund.

Favorable Report.

Item No. 37(4)—Duration of benefits to be computed by 1/3 base period wages.

Favorable Report.

Item No. 37(5)—Base period wages equal to not less than 26 times weekly benefit amount.

Favorable Report.

Item No. 37(7)—Establishment of floor on Fund of $100,000,000 and establishment of calendar quarter changes.

Favorable report on alternate proposal by Employment Security Board.

Item No. 37(8)—Proposal to Study provision for definite term for Advisory Council.

Favorable Report.

Item No. 37(9)—Increase taxable wages to $3,600.00.

Favorable Report.

Item No. 55B(2)—Minimum Local levy.

Favorable Report.

Item No. 55B(5)—Uniform Accounts Act.

Favorable Report.
Item No. 55D(1)—Central Safety Unit. Favorable Report.

Item No. 54—Judges Pensions. Action deferred until Burke Commission Reports.

Item 55(1)—Classification, etc., of Roads. Unfavorable Report.

Item No. 55C(2)—Revision of Road Laws. Favorable Report.

Item No. 103—Alcoholic Beverages. Favorable Report.

Item No. 121—12-year Roads Program. Favorable Report, as Amended. Amended to include transfer of State Police Budget back to General Funds and remove it from the Motor Vehicle Funds.


Item No. 55G(4)—Endorsing principle that bond issues not be used for current expenditures. Favorable Report.

Respectfully submitted,
A. Gordon Boone, Chairman.

On motion in each instance, the several items on this report were approved.

On Item No. 124, the favorable report, with amendments, was adopted by a vote of 11 to 5, as follows:

Ayes—Della, Goldstein, Crothers, Turner Melnicove, Redden, Boone, McNulty, Green, Derr and Robinson.

Nays—Luber, Kimble, Turnbull, Dempsey and White.

On motion of Mr. Kimble, the Chairman appointed a committee of members of the Council to study the question of financing the Department of Maryland State Police, in order to ascertain what parts of the budget should appropriately be charged against general funds or against motor vehicle funds. The members of the committee were named, as follows:

Boone, Chairman, Goldstein, Green, Kimble, Robinson, Hoff and Riggin.

The Committee was instructed to bring in a report to the entire General Assembly.

On the motion of Mr. Luber, the Special Sub-committee on Motor Vehicles was continued.

At 1:45 P. M., the Council recessed until 2:30 P. M.

2:30 P. M.

The Council reconvened at 2:30 P. M.

Senator Crothers presented the following reports:

REPORT OF THE JUDICIARY COMMITTEE
November 25th, 1952.

To the Members of the Legislative Council:

The Judiciary Committee met on November 25th, 1952, with the following members present: Mr. Crothers, Chairman, presid-
After reviewing the several items on its agenda, the committee took the following action:

Item No. 115—Zoning. 
Favorable Report.

This item would include in the Zoning and Planning Article of the Code the five counties on the Eastern Shore, which had exempted themselves at the time of the enactment of this Article. As a result of recommendations from the counties themselves, this bill is recommended, in order to enable these counties to set up by local action zoning and planning groups.

Item No. 143—Penalties for violations of school bus law. 
Favorable Report.

This act raises the penalties for violations of the law which requires vehicles to stop when school buses are loading and unloading and provides for mandatory revocation or suspension of driving license for two convictions within a three-year period for separate violations.

Item No. 148—Amendments to the Corporation Laws. 
Favorable Report.

The Commission to Revise the Corporation Laws, which originally submitted the revision of these laws which was enacted recently, submitted a series of amendments which further clarify the laws and procedures as to corporations.

Item No. 155—Appeals from decisions of county commissioners. 
Favorable Report.

This recommendation was submitted by the County Attorney of Montgomery County. At the hearing on this subject, it was stated that Section 92 of Article 5, which provides for appeals from decisions or orders of the County Commissioners to the Circuit Courts is unnecessary since The Court of Appeals has ruled that, in the absence of statutory provisions, a bill in equity can always be filed to have a review of such decisions.

Respectfully submitted,
OMAR D. CROTHERS, JR., Chairman.

REPORT OF THE JUDICIARY COMMITTEE

December 16th, 1952.

The Judiciary Committee met on December 9th and again on December 16th, 1952, in order to hold hearings on three of the Reports of the Sobeloff Commission, namely, the reports on “Regulatory Administration” (Item No. 55F), “Correction and Parole,” (Item No. 55-I) and “Personnel Administration,” (Item No. 55H).

A business meeting was held immediately after the hearings had been concluded on December 16th and the following action was taken:

Item No. 55H—Personnel Administration.

All the major recommendations for legislation were embodied in one bill and the various sections were voted on as follows:
(1)—After an applicant’s name has appeared on five eligible lists and no job placement has resulted, the name can be removed. (Sec. 21 (a) of Article 64A)

Favorable Report.

(2)—Decreasing the membership of the Standard Salary Board from seven (7) to five (5) members, all of whom shall be public members. The Chief Deputy Comptroller, The Director of the Budget and the Commissioner of Employment and Registration shall become ex-officio and advisory members, without vote. (Sec. 24 of Article 64A)

Favorable Report.

(3)—Writing into the law a provision for what is now, in practice being done, namely the furnishing of certain related information by the Commissioner of Employment and Registration and his staff to the Standard Salary Board. (Sec. 25 of Article 64A)

Favorable Report.

(4)—Amending of Sections 185, 186, 189 and 193 of Article 41, and Section 9 of Article 64A, to change the name of the State Employment Commissioner to the State Commissioner of Personnel, in order to eliminate the confusion with the Employment Service of the Employment Security Board.

It is further provided in the above Section 9 of Article 64A that the present State Employment Commissioner shall become the first State Commissioner of Personnel with the successor to the present Commissioner serving a six year term, beginning in 1955.

Since the setting of the stated salary is being removed from this section, a provision is being added at the end of the bill to provide that during the present commissioner's term of office, no decrease in salary can be made.

Favorable Report.

(5)—It was suggested that Section 29 of Article 64A be amended to provide that the appointing authority be given the privilege of removing employees, after a hearing before the authority or a person appointed by him to hear the case. The Employment Commission may review the findings but may only order reinstatement if he finds that the removal was based on racial, religious or political prejudice.

Unfavorable Report.

(6)—Adding a new sub-section to Section 17 of Article 64A, to permit a person to be appointed to a job, if after advertising for a job requiring technical, professional or administrative skills, no qualified applications are received. The person so appointed to the job would be subject to a qualification test only, and not to competitive examination.

Favorable Report.

Item No. 55-I—Correction and Parole.

The recommendations of this report are all embodied in one bill, which includes the following:

The present Sections 92, 93, 94, 95 and 102 of Article 41 are repealed and new sections are added, as follows:

91A—Setting up a Board of Parole and Probation and providing that the Chairman shall be the Director of Parole and Probation.
91B—The Board shall be composed of the Chairman and two associate members, appointed for six year terms, with the first members' terms to be staggered. The Governor may remove them for cause and compensation is provided in the Budget.

91C—Sets out their qualifications—good character and temperamentally suited by training and experience.

91D—To have exclusive power through any two of its members, to recommend to the Governor those eligible for parole. To have power to issue warrants for return to custody of violators and suspend or revoke parole.

91E—Duties, as follows:

(1)—To consider circumstances of each candidate.

(2)—Whether the candidate is a good risk for himself and the community.

(3)—To recommend release on parole.

(4)—To keep informed of the released parolees and bring back the violators.

(5)—To make investigations and prepare reports and recommendations, at request of Governor, on applications for pardon or clemency or on those already granted.

91F—To conduct hearings once a month at the institutions for those eligible for parole under law.

91G—To authorize parole officers, sheriffs or police officers, to whom warrants for retaking parolees are issued to execute such warrants and return such parolees to the institutions designated by the Board of Correction.

91H—To give hearing to returned parolee before the Board within a reasonable time. The Board may revoke or suspend the parole, with discretion to grant credit for time spent in the community under parole, or any part of such time as the Board may deem fair and just according to the attendant circumstances.

91I—Chairman of Board shall be ex-officio a member of Board of Correction.

91J—Board may adopt rules and regulations for Department and for granting, refusing or revoking of parole, discharge of parolees from further supervision before expiration of maximum sentence, making of reports and recommendations to the Governor in connection with parole or applications for commutation of sentence or pardon.

Even though parolee may be discharged from parole supervision before end of maximum sentence, the parolee may be suspended or revoked if proper cause arises and he may be required to serve the remainder of his original sentence, with such credit for time spent in community as may be determined by the Board.

91K—The Board shall keep a record of actions, report to the Governor annually and make appropriate recommendations for improvement of its functions.

91L—May appoint staff and other necessary employees, subject to provisions of the Merit System.

Section 4 of the bill transfers all rights, powers, duties, obligations, functions, record, equipment, staff and employees from the present Division of Parole and Probation to the new De-
Reports.

Unfavorable both given were Departments Loans Banking Small of merger the

The Administration.

No. 55F—Regulatory Item at Annapolis. held he can discussions and hearings that further is contemplated program. welfare of the Board

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Superintendent, the Board. of Correction, of the Board. Superintendent...the power to appointment these is...his retirement. He shall have the power to appoint his staff without the approval of the Board.

Item No. 55E—Turning over the Miners' Hospital to a private organization.

Unfavorable Report.

Item No. 55E(1)—Public Welfare.

This item is being held in the sub-committee, which has spent several afternoons in conference with members of the Soboloff Commission and the State Board of Welfare, in order that further study can be given to the financial aspects of the public welfare program.

It is contemplated that further hearings and discussions can be held at Annapolis.

Item No. 55F—Regulatory Administration.

The merger of the Banking and Insurance Departments and the merger of the Banking and Small Loans Departments were both given Unfavorable Reports.
The Administrative Procedures Act is not being acted on but the Committee feels that it is important enough to have introduced into the General Assembly, in order that discussion and hearings can be held there. Time did not permit holding them in Baltimore.

Item No. 55A(2)—Local Home Rule for Counties.
Action is being deferred on this item but the committee feels it important enough to be introduced and considered at Annapolis.

December 17th, 1952.

The Committee met at 10:00 A. M. for its final meeting.

All the remaining items on the agenda were reviewed and the following action taken:

Item No. 81—Damages awarded to infants and incompetents. Favorable Report.

Item No. 96—Sale of Fireworks by Mail.

The Attorney General has advised us that it is not possible to enact legislation to cover the sale of fireworks by out-of-state organizations. The Committee, therefore, is requesting its secretary to write to the Congressmen and Senators from Maryland and ask that a Federal statute be enacted on this subject.


This corrects an error in the original bill enacting this uniform act and provides for lease of witnesses on bail.


This amendment would provide that no charges be made to those bringing suit under this act, under certain conditions.


As a result of hearings and tests which were conducted, this item is being reported favorably.

Respectfully submitted,

OMAR D. CROTHERS, JR., Chairman.

All items on the two Judiciary Committee Reports were approved, with the exception of the report as to Item No. 138—Scientific Test for Intoxication. The Favorable Report on this item was rejected by a vote of 7 to 5, as follows:

Ayes—Della, Crothers, Green, Derr and Robinson.

Nays—Goldstein, Turner, Turnbull, Boone, Dempsey, White and McNulty.

Mr. Derr, Chairman of the Special Sub-committee appointed to study Item No. 119—Administrative Policy and Dormitory Facilities at the University of Maryland, present the following report:

REPORT OF SUB-COMMITTEE ON ITEM 119

Baltimore, December 17, 1952.

The Committee to study the admission policy and dormitory requirements at the University of Maryland makes the following report:
The Committee recommends a change in the policy with regard to allocation of student housing for freshmen. At the present time, there is no clear-cut policy and space is allocated to freshmen upon admission acceptance without a prior overall review of all of the students after admissions have been closed. The Committee recommends that allocation of housing be made at some specific date, for instance, July 15 or August 1. As a corollary to this recommendation, it is the Committee's view that every effort be made to process and admit students as early as possible and at least prior to the date fixed for allocation of housing. Any students accepted for admission after the housing allocation date would have to accept the risk of available housing.

The Committee found that housing facilities for both men and women were overcrowded, and recommend that sufficient student housing facilities be provided.

The Committee recommends that the Board of Regents submit to the General Assembly a plan to alleviate the shortage of housing facilities. So far as the Committee can learn, there is no plan available at the University at present which discloses student housing requirements for the future. This is a matter of great concern to the taxpayers of this State and it is the sense of the Committee that this recommendation is essential in order to supply this present lack of plan and information.

The Committee was unable, in the space of time allotted, to carefully study in detail all of the data which would be required in order to make a determination of certain incidental questions which have arisen in connection with this assignment.

Respectfully submitted,

MELVIN H. DERR, Chairman.
OMAR D. CROTHERS, JR.
THOMAS F. DEMPSEY
JEROME ROBINSON

On motion, this report was accepted.

The Chairman announced that this meeting would be the last meeting of the Council prior to the convening of the General Assembly. He thanked the members and the committed chairmen for their work that had been done in completing the Council's program.

The meeting adjourned at 3:45 P. M.

Respectfully submitted,

CARL N. EVERSTINE,
Acting Secretary.