

**Journal *of* Proceedings**

**of the**

**Senate**

**of**

**Maryland**

**2013 Regular Session**

**Volume I**

Compiled and edited by:

Donald G. Hopkins  
Journal Clerk

...

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

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**Annapolis, Maryland**  
**Wednesday, January 9, 2013**  
**Twelve Noon**

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The Senate met at 12:01 P.M.

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

Prayer by Reverend Doctor Delman Coates, Sr. Pastor, Mt. Ennon Baptist Church, guest of Senator Miller.

(See Exhibit A of Appendix III)

STATE OF MARYLAND, TO WIT:

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

Present at the roll call were the following Senators:

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

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

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

Forty–six Senators having answered to their names, the Secretary announced that a quorum being present, the Senate of Maryland 2013 Session is now ready for the transaction of business.

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

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

The Honorable Brian Frosh nominated the Honorable Nathaniel McFadden as President Pro Tem. The nomination was seconded by the Honorable James Rosapepe. There being no further nominations, the roll was then called which resulted in the election of the Honorable Nathaniel McFadden as President Pro Tem.

The roll call vote resulted as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 3)

The Honorable Ulysses Currie was appointed to escort the President Pro Tem to the Chair.

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

Remarks by the President Pro Tem, Senator Nathaniel McFadden.

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

The Honorable Richard Madaleno, seconded by the Honorable Catherine Pugh, nominated the Honorable Thomas V. Mike Miller, Jr. for the President of the Senate.

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

The roll call vote resulted as follows:

Affirmative – 43    Negative – 0    (See Roll Call No. 4)

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

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

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

Remarks by United States Congressman Steny H. Hoyer

Introductions of Special Guests

## **ORDERS**

January 9, 2013

### **ORDER**

**BY THE MAJORITY LEADER:**

ORDERED, BY THE SENATE OF MARYLAND, That, for the Regular Legislative Session of 2013, the Senate adopts the Rules, with the exception of Rule 116, as in effect at the end of the Second Special Legislative Session of 2012.

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



Affirmative – 46 Negative – 0 (See Roll Call No. 5)

Senator Klausmeier moved to make Rule 116 a Special Order until January 16, 2013.

The motion was adopted.

January 9, 2013

ORDER

BY THE MAJORITY LEADER:

RESOLVED, that the following Desk Officers be, and are hereby elected to serve, during the Legislative Session of 2013:

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

By Order,

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

Read and adopted by roll call vote as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 6)

January 9, 2013

ORDER

BY THE MAJORITY LEADER:

ORDERED, That the monies appropriated for the expense of this Legislative Session of 2013, as set forth in the Appropriation Bill, be paid upon the joint order of the President of the Senate and the Speaker of the House of Delegates.

By Order,

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

Read and adopted.

January 9, 2013

### ORDER

BY THE MAJORITY LEADER:

ORDERED, That the President shall appoint the employees necessary for the proper transaction of the business of this Regular Legislative Session of 2013, as provided for in the Budget, this order to remain in effect until changed or modified by the Senate.

By Order,

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

Read and adopted.

### INTRODUCTIONS

Introduction and Remarks by United States Congressman Andy Harris

Introduction and Remarks by United States Congressman John Delaney

Introduction and Remarks by Governor Martin O'Malley

Introduction and Remarks by United States Senator Barbara Mikulski

Introduction and Remarks by Lieutenant Governor Anthony Brown

Introduction of Honored Guests

### ANNOUNCEMENT

January 9, 2013

The President makes the following announcement:

Majority Leader	–	Senator Robert J. Garagiola
Deputy Majority Leader	–	Senator Catherine E. Pugh
Assistant Deputy Majority Leader	–	Senator James N. Robey

Majority Whips	–	Senator Lisa A. Gladden
	–	Senator Jamie Raskin
Deputy Majority Whip	–	Senator James C. Rosapepe
Assistant Deputy Majority Whip	–	Senator Nancy J. King

Read and ordered journalized.

**ANNOUNCEMENT**

The President makes the following appointments to the legislative standing committees pursuant to Senate Rule 18(a)(1); the appointments are effective as of January 9, 2013.

**BUDGET AND TAXATION**

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

Senator David R. Brinkley	Senator Nancy J. King
Senator Richard F. Colburn	Senator Richard S. Madaleno, Jr.
Senator Ulysses Currie	Senator Roger Manno
Senator James E. DeGrange, Sr.	Senator Douglas J.J. Peters
Senator George C. Edwards	Senator James N. Robey
Senator Verna L. Jones–Rodwell	

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

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

Senator Joanne C. Benson	Senator Edward R. Reilly
Senator Bill Ferguson	Senator James C. Rosapepe
Senator J.B. Jennings	Senator Bryan W. Simonaire
Senator Karen S. Montgomery	Senator Ronald N. Young
Senator Paul G. Pinsky	

**FINANCE COMMITTEE**

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

Senator Robert J. Garagiola	Senator James N. Mathias, Jr.
Senator Barry Glassman	Senator E.J. Pipkin

Senator Delores G. Kelley  
 Senator Allan H. Kittleman  
 Senator Katherine A. Klausmeier

Senator Catherine E. Pugh  
 Senator Victor R. Ramirez

### **JUDICIAL PROCEEDINGS COMMITTEE**

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

Senator James Brochin  
 Senator Joseph M. Getty  
 Senator Jennie M. Forehand  
 Senator Nancy Jacobs  
 Senator C. Anthony Muse

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

### **RULES COMMITTEE**

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

Senator David R. Brinkley  
 Senator Richard F. Colburn  
 Senator Joan Carter Conway  
 Senator Roy P. Dyson  
 Senator George C. Edwards

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

Read and ordered journalized.

### **ANNOUNCEMENT**

The President makes the following appointments to continuing committee pursuant to Senate Rule 18(a)(2); the appointments are effective as of January 9, 2013.

### **EXECUTIVE NOMINATIONS**

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

Senator David R. Brinkley  
 Senator Richard F. Colburn  
 Senator Joan Carter Conway  
 Senator George C. Edwards

Senator Allan H. Kittleman  
 Senator Katherine Klausmeier  
 Senator Nathaniel J. McFadden  
 Senator Thomas M. Middleton

Senator Jennie M. Forehand  
Senator Brian E. Frosh  
Senator Robert J. Garagiola  
Senator Edward J. Kasemeyer

Senator Thomas V. Mike Miller, Jr.  
Senator E.J. Pipkin  
Senator Catherine E. Pugh  
Senator Norman R. Stone, Jr.

Read and ordered journalized.

### **ANNOUNCEMENT**

The President makes the following appointments to the statutory committees and joint committees; the appointments are effective as of January 9, 2013.

#### **LEGISLATIVE POLICY COMMITTEE**

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

Senator John C. Astle  
Senator David R. Brinkley  
Senator Joan Carter Conway  
Senator Richard Colburn  
Senator James E. DeGrange, Sr.  
Senator George C. Edwards  
Senator Brian E. Frosh

Senator Robert J. Garagiola  
Senator Edward J. Kasemeyer  
Senator Nathaniel J. McFadden  
Senator Thomas M. Middleton  
Senator E.J. Pipkin  
Senator Norman R. Stone, Jr.

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

Senator Paul G. Pinsky, Senate Chairman

Senator John C. Astle  
Senator David R. Brinkley  
Senator James Brochin  
Senator Richard F. Colburn  
Senator Jennie M. Forehand

Senator Lisa A. Gladden  
Senator Nancy Jacobs  
Senator Norman R. Stone, Jr.  
Senator Robert A. Zirkin

#### **JOINT AUDIT COMMITTEE**

Senator James C. Rosapepe, Senate Chairman

Senator John C. Astle  
Senator David R. Brinkley  
Senator George C. Edwards  
Senator Verna L. Jones-Rodwell

Senator Nathaniel J. McFadden  
Senator Douglas J.J. Peters  
Senator E.J. Pipkin  
Senator Catherine E. Pugh

Senator Richard S. Madaleno, Jr.

**JOINT COMMITTEE ON BASE REALIGNMENT AND CLOSURE**

Senator Roy P. Dyson, Senate Chairman

Senator James E. DeGrange, Sr.

Senator Richard S. Madaleno, Jr.

Senator Nancy Jacobs

Senator Douglas J.J. Peters

Senator Allan H. Kittleman

Senator James C. Rosapepe

Senator Katherine A. Klausmeier

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

Senator Roy P. Dyson, Senate Chairman

Senator Richard F. Colburn

Senator Jamie Raskin

Senator E.J. Pipkin

Senator Bryan W. Simonaire

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

Senator Nancy J. King, Senate Chairman

Senator Joanne C. Benson

Senator Karen S. Montgomery

Senator Joan Carter Conway

Senator E.J. Pipkin

Senator Bill Ferguson

Senator Edward R. Reilly

Senator Jennie M. Forehand

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

Senator C. Anthony Muse, Senate Chairman

Senator Roy P. Dyson

Senator Barry Glassman

**JOINT COMMITTEE ON FEDERAL RELATIONS**

Senator Jennie M. Forehand, Senate Chairman

Senator Robert J. Garagiola

Senator Jamie Raskin

Senator Verna L. Jones–Rodwell

Senator James C. Rosapepe

Senator Roger Manno

Senator Christopher B. Shank

Senator Douglas J.J. Peters

**JOINT COMMITTEE ON GAMING OVERSIGHT**

Senator Nancy King, Senate Chairman

Senator James E. DeGrange, Sr.  
Senator Nathaniel J. McFadden

Senator George C. Edwards

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

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

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

Senator E.J. Pipkin  
Senator Catherine E. Pugh

**JOINT INFORMATION TECHNOLOGY AND BIOTECHNOLOGY  
COMMITTEE**

Senator James C. Rosapepe, Senate Chairman

Senator John C. Astle  
Senator Jennie M. Forehand  
Senator Robert J. Garagiola

Senator E.J. Pipkin  
Senator Robert A. Zirkin

**JOINT ADVISORY COMMITTEE ON LEGISLATIVE DATA SYSTEMS**

Senator James N. Robey, Senate Chairman

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

Senator James C. Rosapepe

**JOINT COMMITTEE ON LEGISLATIVE ETHICS**

Senator Norman R. Stone, Jr., Senate Chairman

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

Senator Nathaniel J. McFadden  
Senator Jamie Raskin

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

Senator Verna L. Jones–Rodwell, Senate Chairman

Senator Jennie M. Forehand  
Senator Richard S. Madaleno, Jr.

Senator Edward R. Reilly

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

Senator Joanne C. Benson, Senate Chairman

Senator Joan Carter Conway  
Senator Robert J. Garagiola

Senator Karen S. Montgomery  
Senator Christopher B. Shank

**JOINT COMMITTEE ON OPEN GOVERNMENT AND TRANSPARENCY**

Senator Bill Ferguson, Senate Chairman

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

Senator Katherine A. Klausmeier  
Senator Nathaniel J. McFadden

**JOINT COMMITTEE ON PENSIONS**

Senator Verna L. Jones–Rodwell, Chairman

Senator David R. Brinkley  
Senator George C. Edwards  
Senator Edward J. Kasemeyer  
Senator Richard S. Madaleno, Jr.

Senator Roger Manno  
Senator Nathaniel J. McFadden  
Senator James N. Robey

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

Senator Thomas M. Middleton, Senate Chairman

Senator George C. Edwards  
Senator Barry Glassman

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



**JOINT COMMITTEE ON PROTOCOL**

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

Senator James E. DeGrange, Sr.

Senator Katherine A. Klausmeier

**JOINT COMMITTEE ON SPENDING AFFORDABILITY**

Senator James E. DeGrange, Sr., Senate Chairman

Senator David R. Brinkley

Senator Nathaniel J. McFadden

Senator George C. Edwards

Senator Thomas M. Middleton

Senator Robert J. Garagiola

Senator Thomas V. Mike Miller, Jr.

Senator Edward J. Kasemeyer

Senator Douglas J.J. Peters

Senator Richard S. Madaleno, Jr.

Senator E.J. Pipkin

**JOINT COMMITTEE ON UNEMPLOYMENT INSURANCE OVERSIGHT**

Senator Thomas M. Middleton, Senate Chairman

Senator Barry Glassman

Senator Delores G. Kelley

**JOINT COMMITTEE ON WELFARE REFORM**

Senator Lisa A. Gladden, Senate Chairman

Senator Joanne C. Benson

Senator E.J. Pipkin

Senator Bill Ferguson

Senator Victor R. Ramirez

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

Senator Katherine A. Klausmeier, Senate Chairman

Senator Allan H. Kittleman

**SPECIAL COMMITTEE ON ETHICS REFORM**

Senator Jamie Raskin, Senate Chairman

Senator Bill Ferguson

Senator Victor R. Ramirez

Senator Joseph M. Getty

Senator James N. Robey

Senator Nathaniel J. McFadden

Senator Bryan W. Simonaire

Read and ordered journalized.

### ANNOUNCEMENT

January 9, 2013

The Senate Minority Caucus met on November 8, 2013 for the purpose of electing the Minority floor leaders for the 2013 Legislative Session. The following members have been selected:

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

Minority Whip: Honorable Edward R. Reilly – District 33

Read and ordered journalized.

### MESSAGE TO THE SENATE

January 9, 2013

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates has organized by the election of the Honorable Michael E. Busch, Speaker of the House.

We respectfully propose, with your concurrence, the appointment of a Joint Committee of six members, four on the part of the House and two on the part of the Senate, to wait upon the Governor and inform him that the General Assembly is now organized and prepared to receive any communications he may desire to make.

We have appointed on the part of the House of Delegates, Delegates Beidle, McHale, A. Miller and Olszewski.

BY ORDER,

Sylvia Siegert  
Chief Clerk

Read and ordered journalized.

**MESSAGE TO THE HOUSE OF DELEGATES**

January 9, 2013

By the Majority Leader,

Ladies and Gentlemen of the House of Delegates:

We have received your message notifying the Senate of the organization of your Honorable Body, and requesting the appointment of a joint committee to wait upon the Governor to inform him that the General Assembly is now prepared to receive any communications which he may desire to make.

We have appointed on the part of the Senate, Senators Garagiola and Pipkin.

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

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

**MESSAGE TO THE EXECUTIVE**

January 9, 2013

By the Majority Leader,

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

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

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

By Order,

William B.C. Addison, Jr.  
Secretary

Read and adopted.

### MESSAGE FROM THE EXECUTIVE

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

January 9, 2013

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

Dear President Miller:

In accordance with Article II, § 11 of the Constitution of Maryland, I am pleased to submit for confirmation by the Maryland State Senate, appointments made during the 2012 Recess of the General Assembly. I am confident you will find these individuals to be well qualified for their respective offices and deserving of your support for appointment confirmation.

Sincerely,

Governor

### GUBERNATORIAL RECESS APPOINTMENTS TO STATEWIDE BOARDS REQUIRING SENATE CONFIRMATION 2013 SESSION OF THE MARYLAND GENERAL ASSEMBLY

AFRICAN AMERICAN HISTORY AND CULTURE, COMMISSION ON	
Lynn Groesbeck Bowman 123 Pine Street Rear Frostburg, Maryland 21532 Allegany/01	Appointment Member Term to expire June 30, 2014
William A. Coates 3799 Lucille Thornton Place Indian Head, Maryland 20640 Charles/28	Appointment Member Term to expire June 30, 2013
Denise A. Barnes 13830 Barnes–Chapman Place Waldorf, Maryland 20601 Charles/28	Appointment Member Term to expire June 30, 2015
Sharon E. Parker 6104 Wigan Court Clinton, Maryland 20735 Prince George's/27	Appointment Member Term to expire June 30, 2014

AGRICULTURAL AND RESOURCE-BASED INDUSTRY DEVELOPMENT CORPORATION (MARBIDCO) BOARD OF DIRECTORS OF MARYLAND	
Megan E. Keyes 3712 Aldino Road Aberdeen, Maryland 21001 Harford/35	Appointment Agricultural Producer Remainder of a term of 4 years from July 1, 2011
Rantz W. Purcell 10010 Arden Station Road Princess Anne, Maryland 21853 Somerset/38	Appointment Agricultural Producer Term of 4 years from July 1, 2010
Aden A. King 605 Burnside Street Annapolis, Maryland 21403 Anne Arundel/30	Appointment Seafood Processing Term of 4 years from July 1, 2011
AIRPORT ZONING APPEALS, BOARD OF	
Jeffrey Utzinger 1262 Vogt Avenue Baltimore, Maryland 21227 Baltimore County/12	Reappointment Baltimore County Term of 4 years from July 1, 2012
Manuel R. Geraldo, Esq. 802 Swan Creek Road Fort Washington, Maryland 20744 Prince George's/26	Reappointment At Large Term of 4 years from July 1, 2012
Darryl Barnes 1707 Cinnamon Teal Way Upper Marlboro, Maryland 20774 Prince George's/25	Appointment At Large Remainder of a term of 4 years from July 1, 2011
AMUSEMENT RIDE SAFETY ADVISORY BOARD, STATE	
Shelley B. Rothenberg 13913 Little Tree Court Rockville, Maryland 20850 Montgomery/15	Appointment Amusement Ride Rental Operator Term of 4 years from July 1, 2012
APPEALS, MARYLAND COURT OF SPECIAL	
Douglas R.M. Nazarian 361 Rowe Boulevard Annapolis, Maryland 21401 Baltimore County/12	Appointment Judge – 2nd Appellate Circuit Term of 10 years from January 8, 2013
ARCHITECTS, STATE BOARD OF	
Diane Cho 1926 Club Road Stevenson, Maryland 21153 Baltimore County/11	Reappointment Architect – Chair Term of 5 years from July 1, 2012
ARTS COUNCIL, MARYLAND STATE	

Nancy S. Graf 45335 Clarks Mill Road Hollywood, Maryland 20636 St. Mary's/29	Appointment Member Term of 3 years from July 1, 2012
ASSISTIVE TECHNOLOGY LOAN PROGRAM BOARD OF DIRECTORS	
Joel Steven Zimba 1631 Shadyside Road Baltimore, Maryland 21218 Baltimore City/43	Appointment Disability Community Term of 4 years from October 1, 2011
AUDIOLOGISTS, HEARING AID DISPENSERS AND SPEECH-LANGUAGE PATHOLOGISTS, STATE BOARD OF	
Sidney Seidman, M.D. 2700 Stone Cliff Drive, #304 Baltimore, Maryland 21209 Baltimore County/11	Appointment Consumer Remainder of a term of 4 years from July 1, 2009
AUTOMOBILE INSURANCE FUND, BOARD OF TRUSTEES OF THE MARYLAND	
Enor R. Williams, Jr. 9406 Pine View Lane Clinton, Maryland 20735 Prince George's/27	Appointment Member Serves at the pleasure of the Governor
BLIND INDUSTRIES AND SERVICES OF MARYLAND, BOARD OF TRUSTEES OF	
Peter L. Gehlbach, M.D., Ph.D. 13 Chesterfield Court Monkton, Maryland 21111 Baltimore County/05	Reappointment Member Term of 3 years from July 1, 2012
Carolyn Hess Johnson 2700 Mercer Drive Baldwin, Maryland 21013 Harford/35	Reappointment Member Term of 3 years from July 1, 2011
Donald J. Morris 16547 Old Emmitsburg Road Emmitsburg, Maryland 21727 Frederick/04	Reappointment Blind Member Term of 3 years from July 1, 2012
William E. Hadlock, Ed.D. 3454 Arcadia Drive Ellicott City, Maryland 21042 Howard/09	Reappointment Blind Member Term of 3 years from July 1, 2012
Martha E. Seabrooks 1016 E. Lake Avenue Baltimore, Maryland 21212 Baltimore City/43	Reappointment Member Term of 3 years from July 1, 2011
Gerald Moschel 1707 Saunders Way Glen Burnie, Maryland 21061 Anne Arundel/32	Reappointment Member Term of 3 years from July 1, 2011
BOILER RULES, BOARD OF	

John Dunnock 20 Baugher Drive Hanover, Pennsylvania 17331 Nonresident	Appointment Manufacturing/Assemblers Term of 4 years from January 1, 2009 and a term of 4 years from January 1, 2013
Kevin J. Mulvey 8236 Silver Run Court Pasadena, Maryland 21122 Anne Arundel/31	Reappointment Insurance Company Term of 4 years from January 1, 2013
John H. Hunt, Jr. 3242 Sharp Road Glenwood, Maryland 21738 Howard/09	Appointment Consumer Remainder of a term of 4 years from January 1, 2009 and a term of 4 years from January 1, 2013
CANAL PLACE PRESERVATION AND DEVELOPMENT AUTHORITY	
J. Robert Smith 11708 Bayberry Avenue Cumberland, Maryland 21502 Allegany/01	Appointment Member Remainder of a term of 4 years from June 1, 2011
Janice S. Keene 101 Braddock Heights Frostburg, Maryland 21532 Allegany/01	Appointment Member Term of 4 years from June 1, 2012
CHESAPEAKE AND ATLANTIC COASTAL BAYS, CRITICAL AREA COMMISSION FOR THE	
Donald E. Sutton 8 Wheeler Avenue P.O. Box 157 Betterton, Maryland 21610 Kent/36	Reappointment Kent – Appointed/Elected Term of 4 years from July 1, 2012
Virginia P. Clagett 1387 Cumberstone Road P.O. Box 1 West River, Maryland 20778 Anne Arundel/30	Reappointment At Large Term of 4 years from July 1, 2012
CIVIL RIGHTS, COMMISSION ON	
Naima Said, Esq. 12112 Blue Paper Trail Columbia, Maryland 21045 Howard/12	Appointment Member Remainder of a term of 6 years from July 1, 2007
CONSUMER COUNCIL	
Maxine M. Williams 8222 Marlton Court Severn, Maryland 21144 Anne Arundel/32	Appointment Business Remainder of a term of 6 years from July 1, 2010
CORRECTIONAL STANDARDS, COMMISSION ON	

Milton M. Crump 10200 Lynn–Ric Drive Upper Marlboro, Maryland 20772 Prince George’s/27	Appointment Citizen – Unrelated Field Remainder of a term of 3 years from July 1, 2010
DEAF AND HARD OF HEARING, MARYLAND ADVISORY COUNCIL ON THE	
William B. Russell, Jr. 6203 Marlora Road Baltimore, Maryland 21239 Baltimore City/43	Appointment Hearing Impaired/Expertise Remainder of a term of 3 years from October 1, 2011
Cleveland L. Horton, II 6902 Blanche Road Baltimore, Maryland 21215 Baltimore County/11	Appointment Civil Rights Commission Term of 3 years from October 1, 2012
Keneithia Taylor 3705 Buckingham Road Gwynn Oak, Maryland 21207 Baltimore County/10	Appointment DHMH Term of 3 years from October 1, 2012
DIETETIC PRACTICE, STATE BOARD OF	
Nancy Ferrone 2141 Kimrick Place Lutherville, Maryland 21093 Baltimore County/11	Appointment Dietitian or Nutritionist – Admin. Term of 4 years from July 1, 2012
Ivis T. Forrester, Ph.D. 6210 Glen Falls Road Reisterstown, Maryland 21136 Baltimore County/05	Appointment Dietitian or Nutritionist – Faculty Term of 4 years from July 1, 2012
DISTRICT COURT OF MARYLAND – DISTRICT ONE – BALTIMORE CITY	
Rachel Elizabeth Cogen 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/41	Appointment Judge Term of 10 years from May 9, 2012
Melissa Kaye Copeland 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/41	Appointment Judge Term of 10 years from May 4, 2012
Jennifer Etheridge 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/46	Appointment Judge Term of 10 years from May 1, 2012
Hon. Halee F. Weinstein 5800 Wabash Avenue Baltimore, Maryland 21215 Baltimore City/43	Reappointment Judge Term of 10 years from August 5, 2012
DISTRICT COURT OF MARYLAND – DISTRICT TWO – DORCHESTER, SOMERSET, WICOMICO AND WORCESTER COUNTIES	



John Phillip Rue, II 201 Baptist Street Salisbury, Maryland 21801 Wicomico/38	Appointment Judge – Wicomico County Term of 10 years from August 6, 2012
DISTRICT COURT OF MARYLAND – DISTRICT FIVE – PRINCE GEORGE'S COUNTY	
Robin D. Gill Bright 14735 Main Street Upper Marlboro, Maryland 20772 Prince George's/23	Appointment Judge Term of 10 years from May 10, 2012
Karen H. Mason 14735 Main Street Upper Marlboro, Maryland 20772 Prince George's/23	Appointment Judge Term of 10 years from April 30, 2012
Erik H. Nyce 14735 Main Street Upper Marlboro, Maryland 20772 Prince George's/23	Appointment Judge Term of 10 years from June 7, 2012
Joseph L. Wright 14735 Main Street Upper Marlboro, Maryland 20772 Prince George's/23	Appointment Judge Term of 10 years from May 10, 2012
DISTRICT COURT OF MARYLAND – DISTRICT SIX – MONTGOMERY COUNTY	
Jeannie Eun Kyung Cho 191 E. Jefferson Street Rockville, Maryland 20850 Montgomery/19	Appointment Judge Term of 10 years from August 24, 2012
Karla N. Smith 191 E. Jefferson Street Rockville, Maryland 20850 Montgomery/16	Appointment Judge Term of 10 years from August 30, 2012
John C. Moffett 191 E. Jefferson Street Rockville, Maryland 20850 Montgomery/15	Appointment Judge Term of 10 years from September 6, 2012
DISTRICT COURT OF MARYLAND – DISTRICT SEVEN – ANNE ARUNDEL COUNTY	
Hon. John Peter McKenna, Jr. 251 Rowe Boulevard Annapolis, Maryland 21401 Anne Arundel/33	Reappointment Judge Term of 10 years from December 5, 2012
DISTRICT COURT OF MARYLAND – DISTRICT EIGHT – BALTIMORE COUNTY	
Michael T. Pate, Esq. 120 E. Chesapeake Avenue Towson, Maryland 21286 Baltimore County/11	Appointment Judge Term of 10 years from January 29, 2013

Kimberly M. Thomas, Esq. 120 E. Chesapeake Avenue Towson, Maryland 21286 Baltimore County/10	Appointment Judge Term of 10 years from January 23, 2013
DISTRICT COURT OF MARYLAND – DISTRICT TEN – CARROLL AND HOWARD COUNTIES	
Hon. Sue–Ellen Hantman 3451 Courthouse Drive Ellicott City, Maryland 21043 Howard/12	Reappointment Judge – Howard County Term of 10 years from January 2, 2013
Brian Green, Esq. 101 North Court Street Westminster, Maryland 21157 Carroll/09	Appointment Judge – Carroll County Term of 10 years from February 8, 2013
DISTRICT COURT OF MARYLAND – DISTRICT TWELVE – ALLEGANY AND GARRETT COUNTIES	
Hon. Edward Anthony Malloy 123 S. Liberty Street Cumberland, Maryland 21502 Allegany/01	Reappointment Judge – Allegany County Term of 10 years from December 17, 2012
ECONOMIC DEVELOPMENT CORPORATION (MEDCO) BOARD OF DIRECTORS	
Barbara G. Buehl 20020 Potomac Overlook, S.E. Oldtown, Maryland 21555 Allegany/01	Reappointment Local Government Term of 4 years from July 1, 2012
Frederick J. Puente 6338 Quantico Mill Lane Quantico, Maryland 21856 Wicomico/37	Reappointment Industrial Term of 4 years from July 1, 2012
Scott E. Dorsey 10631 Pot Spring Road Cockeysville, Maryland 21030 Baltimore County/07	Reappointment General Public Term of 4 years from July 1, 2012
EDUCATION, STATE BOARD OF	
Linda Eberhart 311 Tuscany Road Baltimore, Maryland 21210 Baltimore City/43	Appointment Member Term of 4 years from July 1, 2012
Ebehireme Inegbenebor 4500 Ingham Road Owings Mills, Maryland 21117 Baltimore County/11	Appointment Student Term of 1 year from July 1, 2012
ELECTIONS, STATE BOARD OF	

Patrick H. Murray 3114 East Baltimore Street Baltimore, Maryland 21224 Baltimore City/46	Appointment Majority Party Remainder of a term of 4 years from July 1, 2009
<b>ELECTRICIANS, STATE BOARD OF MASTER</b>	
Todd Michael Borz 6 W. Highfield Road Baltimore, Maryland 21218 Baltimore City/43	Reappointment Electrician – City Term of 3 years from July 1, 2012
Frank M. Mancini 24296 E. Cherry Lane Goldsboro, Maryland 21636 Caroline/37	Reappointment Electrician – Eastern Shore Term of 3 years from July 1, 2012
Brett H. Warner 7637 9th Court Glen Burnie, Maryland 21061 Anne Arundel/32	Appointment Electrician – Southern Maryland Remainder of a term of 3 years from July 1, 2011
<b>ELEVATOR SAFETY REVIEW BOARD</b>	
Michael W. Moran 1434 Saint Stephens Church Road Crownsville, Maryland 21032 Anne Arundel/33	Appointment Elevator Interior Renovation Industry Term to expire October 1, 2013
<b>ENGINEERS, STATE BOARD OF STATIONARY</b>	
Ricky W. Sanders 223 Oakdale Road Salisbury, Maryland 21801 Wicomico/38	Appointment Stationary Engineer Term of 3 years from July 1, 2010
<b>ENVIRONMENTAL HEALTH SPECIALISTS, STATE BOARD OF</b>	
Linda Rudie 309 Sheridan Drive Glen Burnie, Maryland 21061 Anne Arundel/32	Appointment Health Specialist – DHMH Remainder of a term to expire June 30, 2015
<b>ENVIRONMENTAL SERVICE, MARYLAND</b>	
William B.C. Addison, Jr. 14540 Candy Hill Road Upper Marlboro, Maryland 20772 Prince George's/27	Reappointment Public Sector Term of 4 years from July 1, 2012
<b>ETHICS COMMISSION, STATE</b>	
Paul M. Vettori, Esq. 3435 Nanmark Court Ellicott City, Maryland 21042 Howard/09	Reappointment Member – Democrat Term of 5 years from July 1, 2011
Robert G. Blue, Esq. 1809 Thornton Ridge Road Towson, Maryland 21204 Baltimore County/42	Appointment Member – Republican Term of 5 years from July 1, 2010

FOOD CENTER AUTHORITY, MARYLAND	
John C. Guerriero 233 S. Exeter Street Baltimore, Maryland 21202 Baltimore City/46	Reappointment Member Term of 5 years from July 1, 2009
Jeffrey Michael Mowrey 7108 Biter Lane Highland, Maryland 20777 Howard/13	Reappointment Member Term of 5 years from July 1, 2012
Michael T. Isen 9201 Marseille Drive Potomac, Maryland 20854 Montgomery/15	Reappointment Member Term of 5 years from July 1, 2011
Joseph A. Rosier, Jr. 33 Bishops Lane Catonsville, Maryland 21228 Baltimore County/10	Reappointment Member Term of 5 years from July 1, 2010
Steven Lane Fanaroff 11718 Split Tree Circle Potomac, Maryland 20854 Montgomery/15	Reappointment Member Term of 5 years from July 1, 2008
Elizabeth Sandra Vary 5400 Forge Road White Marsh, Maryland 21162 Baltimore County/07	Reappointment Member Term of 5 years from July 1, 2011
HANDGUN ROSTER BOARD	
Maj. Kevin A. Putnam 39745 Persimmon Creek Road Mechanicsville, Maryland 20659 St. Mary's/29	Appointment Association of Chiefs of Police Remainder of a term of 4 years from December 8, 2008 and a term of 4 years from December 8, 2012
Col. Ira Merrill Click 6213 White Oak Drive Frederick, Maryland 21701 Frederick/03	Appointment NRA Remainder of a term of 4 years from December 8, 2008 and a term of 4 years from December 8, 2012
Gail Fleming Golden 6443 Leopard Court Waldorf, Maryland 20603 Charles/28	Appointment Anti-Handgun Violence Organization Remainder of a term of 4 years from December 8, 2008 and a term of 4 years from December 8, 2012
Jonathan W. Maurath 224 Elinor Avenue Baltimore, Maryland 21236 Baltimore County/08	Appointment Mechanical/Electrical Engineer Remainder of a term of 4 years from December 8, 2008 and a term of 4 years from December 8, 2012

HART–MILLER PLEASURE ISLAND CITIZENS OVERSIGHT COMMITTEE	
Frederick H. Habicht, Jr. 2517 Barrison Point Road Essex, Maryland 21221 Baltimore County/06	Reappointment Grantee in Interest Term of 2 years from July 1, 2011
Robert W. Cullison 7312 Knollwood Road Towson, Maryland 21286 Baltimore County/42	Reappointment Grantee in Interest Term of 2 years from July 1, 2011
Francis H. Taylor 7603 Iroquois Avenue Baltimore, Maryland 21219 Baltimore County/06	Reappointment North Point Peninsula Comm. Coord. Council Term of 2 years from July 1, 2011
Samuel L. Lee, Sr. 11313 Beach Road White Marsh, Maryland 21162 Baltimore County/07	Reappointment Essex Middle River Civic Council Term of 2 years from July 1, 2011
Paul D. Brylske 822 Frog Mortar Road Baltimore, Maryland 21220 Baltimore County/07	Reappointment 7th Legislative District Citizen Term of 2 years from July 1, 2011
Harry Wujek, Jr. 9005 Chesapeake Avenue Baltimore, Maryland 21219 Baltimore County/06	Reappointment Baltimore County Waterman's Assn. Term of 2 years from July 1, 2011
Craig E. Doyle 7827 North Cove Road Baltimore, Maryland 21219 Baltimore County/06	Reappointment Pleasure Boating Term of 2 years from July 1, 2011
George T. Hetterick 8905 Carlisle Avenue Nottingham, Maryland 21236 Baltimore County/08	Reappointment Sport Fishing/Crabbing Term of 2 years from July 1, 2011
Thomas G. Kroen 435 Hopkins Landing Drive Baltimore, Maryland 21221 Baltimore County/07	Reappointment Greater Dundalk Community Council Term of 2 years from July 1, 2011
HEALTH AND MENTAL HYGIENE, BOARD OF REVIEW OF THE DEPARTMENT OF	
Joy C. Naden 20 Cross Keys Road Baltimore, Maryland 21210 Baltimore City/41	Reappointment General Public – Chair Term of 3 years from July 1, 2012

Charles J. Gast 844 Sunny Chapel Road Odenton, Maryland 21113 Anne Arundel/33	Appointment Knowledge and Experience Remainder of a term of 3 years from July 1, 2011
HEALTH CARE COMMISSION, MARYLAND	
Paul Fronstin, Ph.D. 102 Massbury Street Gaithersburg, Maryland 20878 Montgomery/17	Appointment No Industry Connection Remainder of a term of 4 years from October 1, 2011
Robert L. Lyles, Jr., M.D. 923 Childs Point Road Annapolis, Maryland 21401 Anne Arundel/30	Reappointment Physician Term of 4 years from October 1, 2012
John E. Fleig, Jr. 1120 Jewell Road Dunkirk, Maryland 20754 Calvert/27	Reappointment Payor Term of 4 years from October 1, 2012
Kenny W. Kan 12823 Macbeth Farm Lane Clarksville, Maryland 21029 Howard/13	Reappointment Payor Term of 4 years from October 1, 2012
Craig P. Tanio, M.D. 15610 Chilcoat Lane Sparks, Maryland 21152 Baltimore County/05	Reappointment No Industry Connection – Chair Term of 4 years from October 1, 2012
HEALTH RESOURCES COMMISSION, MARYLAND COMMUNITY	
Kendall D. Hunter 8220 Coach Street Potomac, Maryland 20854 Montgomery/16	Reappointment Nonprofit HMO Term of 4 years from July 1, 2010
Maria Harris Tildon 5616 Cross Country Boulevard Baltimore, Maryland 21209 Baltimore City/41	Reappointment Nonprofit HSP Term of 4 years from July 1, 2011
Nelson J. Sabatini 391 South Drive Severna Park, Maryland 21146 Anne Arundel/31	Reappointment Expertise Term of 4 years from July 1, 2011
Charlene M. Dukes, Ed.D. 10602 Wood Pointe Terrace Glenn Dale, Maryland 20769 Prince George's/23	Appointment Community Health Res. Term of 4 years from July 1, 2011
Paula Brooks McLellan 4533 Doncaster Drive Ellicott City, Maryland 21043 Howard/09	Reappointment Outpatient Mental Health Term of 4 years from July 1, 2012

Margaret A. Murray 739 Governor Bridge Road Davidsonville, Maryland 21035 Anne Arundel/33	Reappointment Community Health Res. Term of 4 years from July 1, 2012
P. Sue Kullen 2847 Governors Run Road Port Republic, Maryland 20676 Calvert/27	Appointment Expertise Remainder of a term of 4 years from July 1, 2010
William Jaquis, M.D. 1216 S. Bouldin Street Baltimore, Maryland 21224 Baltimore City/46	Appointment Community Health Res. Remainder of a term of 4 years from July 1, 2009
HEATING, VENTILATION, AIR-CONDITIONING AND REFRIGERATION CONTRACTORS, STATE BOARD OF	
Fontaine W. Smallwood 3518 Elmley Avenue Baltimore, Maryland 21213 Baltimore City/45	Appointment Consumer Term of 3 years from January 1, 2012
HERITAGE AREAS AUTHORITY, MARYLAND	
The Honorable Pete Leshar P.O. Box 144 St. Michael's, Maryland 21663 Talbot/37	Appointment MML Elected Official Term of 4 years from October 1, 2012
HIGHER EDUCATION COMMISSION, MARYLAND	
Danette Gerald Howard, Ph.D. 1015 Ironwood Lane Hanover, Maryland 21076 Anne Arundel/32	Appointment Secretary Serves at the pleasure of the Commission
Vivian S. Boyd, Ph.D. 16907 Harbour Town Drive Silver Spring, Maryland 20905 Montgomery/14	Appointment Member Remainder of a term of 5 years from July 1, 2007 and a term of 5 years from July 1, 2012
Lisa Marie Latour 420 Kent Square Road Gaithersburg, Maryland 20878 Montgomery/17	Appointment Student Term of 1 year from July 1, 2012
HISTORICAL TRUST BOARD OF TRUSTEES, MARYLAND	
Charles A. Stek 18611 Mink Hollow Road Highland, Maryland 20777 Montgomery/14	Appointment Member Term of 4 years from July 1, 2012
James P. Delgado 218 Dale Drive Silver Spring, Maryland 20910 Montgomery/20	Appointment Submerged Archaeology Remainder of a term of 4 years from July 1, 2009

HOUSING TRUST BOARD OF TRUSTEES, MARYLAND AFFORDABLE	
Linda L. Rose 516 Bingham Court Millersville, Maryland 21108 Anne Arundel/33	Reappointment Title Company Term of 4 years from October 1, 2011
Elizabeth S. Glenn 1308 Nautical Circle Essex, Maryland 21221 Baltimore County/06	Reappointment General Public Term of 4 years from October 1, 2012
Dale McArdle 2101 Uffington Road Baltimore, Maryland 21209 Baltimore City/41	Reappointment Nonprofit Developer Term of 4 years from October 1, 2011
Albert Winchester, III 4840 Riverside Drive P.O. Box 129 Galesville, Maryland 20765 Anne Arundel/30	Reappointment General Public Term of 4 years from October 1, 2011
Alice G. Pinderhughes, Esq. 3521 Hilton Road Baltimore, Maryland 21215 Baltimore City/40	Reappointment General Public – Chair Term of 4 years from October 1, 2012
Paul K. Casey, Esq. 4037 Dado Court Ellicott City, Maryland 21042 Howard/12	Reappointment General Public Term of 4 years from October 1, 2012
INFANTS AND TODDLERS, INTERAGENCY COORDINATING COUNCIL FOR	
Brenda Hussey–Gardner, Ph.D. 12208 Linden Linthicum Lane Clarks, Maryland 21029 Howard/13	Reappointment Provider – Chair Term of 3 years from July 1, 2012
Amy Nicholas Sargent, Ph.D. 526 S. Ellwood Avenue Baltimore, Maryland 21224 Baltimore City/46	Reappointment Personnel Preparation Term of 3 years from July 1, 2012
Elizabeth Kelley 7687 Anvil Drive Frederick, Maryland 21701 Frederick/04	Reappointment State Agency – MSDE/Child Care Term of 3 years from July 1, 2012
Marcella Franczkowski 3005 Pebble Beach Drive Columbia, Maryland 21042 Howard/09	Appointment State Agency – MSDE Remainder of a term of 3 years from July 1, 2009 and a term of 3 years from July 1, 2012



Carolyn P. Fiume 687 Haymeadow Court Odenton, Maryland 21113 Anne Arundel/21	Appointment Parent Remainder of a term of 3 years from July 1, 2011
INTERIOR DESIGNERS, STATE BOARD OF CERTIFIED	
Danielle M. Bush Marsalek 7 Copewood Court Millers, Maryland 21102 Baltimore County/05	Appointment Interior Designer Term of 3 years from July 1, 2010
JUDICIAL DISABILITIES, COMMISSION ON	
Hon. Robert Alan Greenberg 50 Maryland Avenue Rockville, Maryland 20850 Montgomery/17	Reappointment Judge Term to expire December 31, 2015
Susan J. Matlick 6896 Mink Hollow Road Highland, Maryland 20777 Howard/13	Reappointment Public Term to expire December 31, 2015
LABOR, LICENSING AND REGULATION, SECRETARY OF	
Leonard J. Howie, III 4706 Harvard Road College Park, Maryland 20740 Prince George's/21	Appointment Secretary Serves at the pleasure of the Governor
LABOR RELATIONS BOARD, PUBLIC SCHOOL	
Charles I. Ecker, Ed.D. 5002 Durham Road E Columbia, Maryland 21044 Howard/12	Reappointment MABE/SSA Term of 5 years from July 1, 2012
LABOR RELATIONS BOARD, STATE	
Edward J. Gutman, Esq. 3704 N. Charles Street, #905 Baltimore, Maryland 21218 Baltimore City/43	Appointment Business Community Term of 6 years from July 1, 2010
Susie C. Jablinske 109 Maple Lane Annapolis, Maryland 21403 Anne Arundel/30	Reappointment Nominee of Exc. Reps. Term of 6 years from July 1, 2012
Sherry Lynn Mason 13117 Resh Road Hagerstown, Maryland 21740 Washington/02	Reappointment Business Community Term of 6 years from July 1, 2012
LAND RECLAMATION COMMITTEE	
Timothy J. Carney 13900 Bald Knob Road Mount Savage, Maryland 21545 Allegany/01	Reappointment Allegany County Term of 3 years from July 1, 2012

LAND SURVEYORS, STATE BOARD FOR PROFESSIONAL	
John F. Jensen 310 Goldeneye Court Havre de Grace, Maryland 21078 Harford/34	Reappointment Consumer Term of 5 years from July 1, 2012
Brian M. Dunne 10 Hollis Court Lutherville, Maryland 21093 Baltimore County/11	Appointment Consumer Remainder of a term of 5 years from July 1, 2009
Daniel P. Lavelle 9791 Chestnut Oak Court Frederick, Maryland 21701 Frederick/03	Reappointment Land Surveyor Term of 5 years from July 1, 2012
LEGAL SERVICES CORPORATION BOARD OF DIRECTORS, MARYLAND	
M. Natalie McSherry, Esq. 5705 Roland Avenue Baltimore, Maryland 21210 Baltimore City/41	Appointment Attorney Term of 3 years from July 1, 2012
Mark F. Scurti, Esq. 3101 Tilden Drive Baltimore, Maryland 21211 Baltimore City/40	Appointment Attorney Term of 3 years from July 1, 2012
LOTTERY AND GAMING CONTROL COMMISSION, STATE	
E. Randolph Marriner 1920 Hidden Point Road Annapolis, Maryland 21409 Anne Arundel/30	Appointment Member Term to expire September 30, 2014
Kimberly D. Robertson Pannell, C.P.A. 910 Othman Drive Fort Washington, Maryland 20744 Prince George's/26	Appointment Member Term to expire September 30, 2017
Diane Lee McGraw 7 Central Parke West Ocean Pines, Maryland 21811 Worcester/38	Appointment Member Term to expire September 30, 2016
John Morton, III 8 Waveland Farm Road Annapolis, Maryland 21409 Anne Arundel/30	Appointment Member Term to expire September 30, 2017
Bert J. Hash, Jr. 11705 Farside Road Ellicott City, Maryland 21042 Howard/09	Appointment Member Term to expire September 30, 2016

F. Vernon Boozer 1106 Lower Glenco Road Sparks, Maryland 21152 Baltimore County/05	Appointment Member Term to expire September 30, 2013
MARINE CONTRACTORS LICENSING BOARD	
Jordan R. Loran 6701 Parkway Road Idlewylde, Maryland 21239 Baltimore County/42	Appointment DNR Remainder of a term of 3 years from October 1, 2010
MORGAN STATE UNIVERSITY BOARD OF REGENTS	
Martin R. Resnick 11111 Verdant Court Owings Mills, Maryland 21117 Baltimore County/11	Reappointment Member Term of 6 years from July 1, 2011
Karen N. Darkes 1520 Pentridge Road, Apt. 305B Baltimore, Maryland 21239 Baltimore City/43	Appointment Student Term of 1 year from July 1, 2012
MORTICIANS AND FUNERAL DIRECTORS, STATE BOARD OF	
Ahmed A. Elzaree, M.D. 9145 Lanham Severn Road Lanham, Maryland 20706 Prince George's/22	Appointment Consumer Remainder of a term of 4 years from July 1, 2009
PHYSICIANS, STATE BOARD OF	
Celeste M. Lombardi, M.D. 7749 Tilghman Street Fulton, Maryland 20759 Howard/13	Appointment Physician Term of 4 years from July 1, 2012
Avril Melissa Houston, M.D. 9407 High Rock Way Owings Mills, Maryland 21117 Baltimore County/11	Appointment Physician Term of 4 years from July 1, 2012
Ahmed Nawaz, M.D. 12528 Grey Fox Lane Potomac, Maryland 20854 Montgomery/15	Appointment Physician Term of 4 years from July 1, 2012
Andrea Mathias, M.D. 3701 Village Trail Snow Hill, Maryland 21863 Worcester/38	Appointment DHMH – Chair Term of 4 years from July 1, 2012
Carmen M. Contee 302 Bristol Downs Drive Gaithersburg, Maryland 20877 Montgomery/17	Reappointment Consumer Term of 4 years from July 1, 2012

Brenda G. Baker 3015 Elgin Avenue Baltimore, Maryland 21216 Baltimore City/40	Reappointment Consumer Term of 4 years from July 1, 2012
PORT COMMISSION, MARYLAND	
William B. Dockser, Esq. 8906 Clewerwall Drive Bethesda, Maryland 20817 Montgomery/15	Reappointment Member Term of 3 years from July 1, 2012
Charles H. White, Jr. 1200 Britania Lane Annapolis, Maryland 21403 Anne Arundel/30	Reappointment Member Term of 3 years from July 1, 2012
Rev. Donte Hickman, D.Min. 6923 Old Pimlico Road Baltimore, Maryland 21209 Baltimore County/42	Appointment Member Term of 3 years from July 1, 2011
PREVAILING WAGE RATES, ADVISORY COUNCIL ON	
Charles E. Graham 7170 Wanda Drive Mt. Airy, Maryland 21771 Carroll/04	Appointment Labor Term of 3 years from July 1, 2012
PROFESSIONAL ENGINEERS, STATE BOARD FOR	
Sallye E. Perrin 225 West Lanvale Street Baltimore, Maryland 21217 Baltimore City/40	Reappointment Civil Engineer Term of 5 years from July 1, 2012
Karl Rickert 936 Beaver Bank Circle Towson, Maryland 21286 Baltimore County/42	Appointment Engineer Term of 5 years from July 1, 2012
PROPERTY TAX ASSESSMENT APPEAL BOARDS, ADMINISTRATOR OF	
Kent T. Finkelsen 13755 Barberry Way Sykesville, Maryland 21784 Howard/09	Reappointment Administrator Term of 6 years from July 1, 2012
PUBLIC DEFENDER, BOARD OF TRUSTEES OF THE OFFICE OF THE	
Victor Del Pino, Esq. 5 Horizon Court Derwood, Maryland 20855 Montgomery/19	Appointment 6th Judicial Circuit Remainder of a term of 3 years from June 1, 2010
PUBLIC SERVICE COMMISSION	
Harold D. Williams 3 Falls Glen Court Parkton, Maryland 21120 Baltimore County/05	Reappointment Member Term of 5 years from July 1, 2012

Walter Kevin Hughes 16404 Pebble Hill Lane North Potomac, Maryland 20878 Montgomery/39	Appointment Chair Remainder of a term of 5 years from July 1, 2008
RACING COMMISSION, STATE	
John P. McDaniel 13032 Highland Road Highland, Maryland 20777 Howard/13	Reappointment Thoroughbred Racing Term of 4 years from July 1, 2012
REAL ESTATE APPRAISERS AND HOME INSPECTORS, STATE COMMISSION OF	
Christopher M. Pirtle 1020 Heartfields Drive Silver Spring, Maryland 20904 Montgomery/20	Reappointment Consumer Term of 3 years from January 1, 2012
REAL ESTATE COMMISSION, STATE	
Anne S. Cooke 9821 Gwynn Park Drive Ellicott City, Maryland 21042 Howard/09	Reappointment Realtor – Central MD Term of 4 years from June 1, 2011
Georgiana Tyler 205 Gittings Avenue Baltimore, Maryland 21212 Baltimore City/43	Reappointment Realtor – Baltimore City Term of 4 years from June 1, 2011
Jeff M. Thaler 607 S. Pacific Avenue Ocean City, Maryland 21842 Worcester/38	Reappointment Consumer Term of 4 years from June 1, 2011
Robin L. Pirtle 1020 Heartfields Drive Silver Spring, Maryland 20904 Montgomery/20	Reappointment Consumer Term of 4 years from June 1, 2012
RESIDENTIAL BOARDING EDUCATION PROGRAMS, BOARD OF TRUSTEES OF	
Lynn Morrison Venetoulis 24 Woodward Lane Lutherville, Maryland 21093 Baltimore County/11	Reappointment Member Term of 3 years from July 1, 2012
Earl Adams, Esq. 12603 LaGrange Court Fort Washington, Maryland 20744 Prince George's/26	Appointment Member Term of 3 years from July 1, 2012
RETIREMENT AND PENSION SYSTEMS, BOARD OF TRUSTEES FOR THE MARYLAND STATE	

David Blitzstein 17439 Cherokee Lane Olney, Maryland 20832 Montgomery/14	Reappointment General Public Term of 4 years from August 1, 2012
ST. MARY'S CITY COMMISSION, HISTORIC	
John J. McAllister, Jr. P.O. Box 2506 Leonardtown, Maryland 20650 St. Mary's/29	Reappointment Maryland Business Community Term of 4 years from July 1, 2010
Roland M. Colina, Sr. 19132 Hamlet Court Lexington Park, Maryland 20653 St. Mary's/29	Appointment Public Remainder of a term of 4 years from July 1, 2009
MaryEllen S. Dolan, Esq. 4308 Rosedale Avenue Bethesda, Maryland 20814 Montgomery/16	Reappointment General Public Term of 4 years from July 1, 2010
Jean B. Russo, Ph.D. 318 Kingsberry Drive Annapolis, Maryland 21409 Anne Arundel/30	Appointment General Public Term of 4 years from July 1, 2011
Edward C. Papenfuse, Ph.D. 206 Oakdale Road Baltimore, Maryland 21210 Baltimore City/41	Reappointment Distinguished Scholar – Historian Term of 4 years from July 1, 2011
SEAFOOD MARKETING ADVISORY COMMISSION	
William R. Woodfield, Jr. 4707 Woodfield Road P.O. Box 144 Galesville, Maryland 20765 Anne Arundel/30	Reappointment Seafood Packer – CBSI Term of 4 years from July 1, 2010
Edwin W. Rhodes 1529 Byrd Street Baltimore, Maryland 21230 Baltimore City/46	Appointment Seafood Packer – CBSI Remainder of a term of 4 years from July 1, 2009
William R. Fitzhugh, Jr. 303 Sandy Hill Road Cambridge, Maryland 21613 Dorchester/37	Appointment Seafood Packer Term of 4 years from July 1, 2011
William L. Rice 10750 Rockies View Place Newburg, Maryland 20664 Charles/28	Appointment Waterman Term of 4 years from July 1, 2010

Scott Fritze 246 Blenheim Road Baltimore, Maryland 21212 Baltimore County/42	Reappointment Aquaculture Industry Term of 4 years from July 1, 2011
Spike Gjerde 8 Elmwood Road Baltimore, Maryland 21210 Baltimore City/41	Appointment Consumer Term of 4 years from July 1, 2011
Jody Kelly Wright 9702 Shady Grove Court Ocean City, Maryland 21842 Worcester/38	Appointment Consumer Term of 4 years from July 1, 2010
<b>STADIUM AUTHORITY, MARYLAND</b>	
John P. Coale 179 Duke of Gloucester Street Annapolis, Maryland 21401 Anne Arundel/30	Appointment Member Remainder of a term of 4 years from July 1, 2011
John Morton, III 10 Waveland Farm P.O. Box 9765 Annapolis, Maryland 21409 Anne Arundel/30	Reappointment Chair Term of 4 years from July 1, 2012
Kaliope Parthemos 1821 Bolton Street Baltimore, Maryland 21217 Baltimore City/44	Reappointment Appointed by Mayor Term of 4 years from July 1, 2012
Joseph C. Bryce, Esq. 802 Vacation Drive Odenton, Maryland 21113 Anne Arundel/33	Appointment Member Term of 4 years from July 1, 2011
<b>SUBSEQUENT INJURY FUND BOARD</b>	
Margareta A. Crampton 1222 N. Lincoln Street Arlington, Virginia 22201 Nonresident	Reappointment Labor Term of 4 years from July 1, 2011
R. Dennis German 6-A Cross Keys Road Baltimore, Maryland 21210 Baltimore City/41	Reappointment Management Term of 4 years from July 1, 2011
Valerie E. Fraling 9800 Mendoza Road Randallstown, Maryland 21133 Baltimore County/10	Reappointment Public Term of 4 years from July 1, 2011
<b>TEACHER EDUCATION BOARD, PROFESSIONAL STANDARDS AND</b>	

Donna Newcomer, Ed.D. 1412 Hamilton Boulevard Hagerstown, Maryland 21742 Washington/02	Appointment Maryland Public School Superintendents Assn. Remainder of a term of 3 years from July 1, 2010
<b>TOURISM DEVELOPMENT BOARD, MARYLAND</b>	
James A. Grube 19860 Pear Hill Road Leonardtown, Maryland 20650 St. Mary's/29	Appointment Attractions Remainder of a term of 3 years from July 1, 2011
Patricia C. Heffelfinger 12404 Frost Court Potomac, Maryland 20854 Montgomery/15	Appointment Attractions Remainder of a term of 3 years from July 1, 2010
Raymond Nelson 8604 Glen Hannah Court Windsor Mill, Maryland 21244 Baltimore County/10	Appointment Transportation Term of 3 years from July 1, 2011
Anthony Cohen 18733 Tanterra Way Brookeville, Maryland 20833 Montgomery/14	Appointment Attractions Term of 3 years from July 1, 2012
Heather Renz 507 Hilltop Drive Lutherville, Maryland 21093 Baltimore County/42	Appointment Food Service Term of 3 years from July 1, 2012
<b>UNINSURED EMPLOYERS FUND BOARD</b>	
Michael J. Hayes, Esq. 448 Doe Meadow Drive Owings Mills, Maryland 21117 Baltimore County/11	Appointment Labor Term of 4 years from July 1, 2011
Carolyn Krysiak 364 Cornwall Street Baltimore, Maryland 21224 Baltimore City/46	Appointment Public Term of 4 years from July 1, 2011
<b>UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS</b>	
Thomas G. Slater, Esq. 2229 Lamppost Lane Frederick, Maryland 21701 Frederick/03	Reappointment Member Term of 5 years from July 1, 2012
Steven M. Hershkowitz 4230 Knox Road, Apt. 1522D College Park, Maryland 20740 Prince George's/21	Appointment Student Term of 1 year from July 1, 2012
<b>VETERANS HOME COMMISSION, MARYLAND</b>	



Gary D. Knight 1035 Leeward Way Solomons, Maryland 20688 Calvert/29	Appointment Member Remainder of a term of 5 years from July 1, 2008
Thomas Lee Davis 3606 27th Street P.O. Box 551 Chesapeake Beach, Maryland 20732 Calvert/27	Reappointment Member Term of 5 years from July 1, 2012
Dr. Gordon B. Browning 414 Bell Avenue Chestertown, Maryland 21620 Kent/36	Appointment Member Remainder of a term of 5 years from July 1, 2009
WELL DRILLERS, STATE BOARD OF	
Travis E. Sterner 35 Sherwood Road Cockeysville, Maryland 21030 Baltimore County/07	Reappointment MDE Term of 2 years from July 1, 2012
Darlene Vivian Wells 17433 Wesley Chapel Road Monkton, Maryland 21111 Baltimore County/05	Reappointment DNR Term of 2 years from July 1, 2012
Hahns S. Hairston 5943 Charles Street Baltimore, Maryland 21207 Baltimore County/10	Reappointment Public – Chair Term of 2 years from July 1, 2012
John T. Shannahan, Sr. 25145 Saint Michaels Road P.O. Box 730 St. Michaels, Maryland 21663 Talbot/37	Reappointment Well Driller – Eastern Maryland Term of 2 years from July 1, 2012
C. Wayne Caswell 3515 North Furnace Road Jarrettsville, Maryland 21084 Harford/35	Reappointment Well Driller – Central Maryland Term of 2 years from July 1, 2012
David B. Hartman 1404 Harper Street Baltimore, Maryland 21230 Baltimore City/46	Reappointment Well Driller – Southern Maryland Term of 2 years from July 1, 2012
Larry Dale Brenneman 312 Main Street Extended Accident, Maryland 21520 Garrett/01	Reappointment Well Driller – Western Maryland Term of 2 years from July 1, 2012
WOMEN, MARYLAND COMMISSION FOR	

Elizabeth G. Kinney 941 Melvin Road Annapolis, Maryland 21403 Anne Arundel/30	Appointment Member Remainder of a term of 4 years from July 1, 2008 and a term of 4 years from July 1, 2012
Varsha Mathur Sharma, Esq. 6586 Eleenwood Drive P.O. Box 2729 La Plata, Maryland 20646 Charles/28	Appointment Member Term of 4 years from July 1, 2012
Kimberly Brown, Ph.D. 8232 Brooktree Street Laurel, Maryland Anne Arundel/21	Reappointment Member Term of 4 years from July 1, 2012
Patricia E. Cornish 908 Calvert Avenue St. Michael's, Maryland 21663 Montgomery/15	Reappointment Member Term of 4 years from July 1, 2012
Ginger Miller 609 Mattawoman Way Accokeek, Maryland 20607 Prince George's/27	Reappointment Member Term of 4 years from July 1, 2012
Mythili Bachu 15014 Blackburn Road Burtonsville, Maryland 20866 Montgomery/14	Appointment Member Remainder of a term of 4 years from July 1, 2011
Betsy H. Ramirez 5828 Dewey Street Cheverly, Maryland 20785 Prince George's/47	Appointment Member Term of 4 years from July 1, 2012
Wandra Ashley-Williams 4922 Water Grove Lane Ellicott City, Maryland 21043 Howard/09	Appointment Member Term of 4 years from July 1, 2009
Velvet D. Johnson, Esq. 2700 Berrywood Lane Springdale, Maryland 20774 Prince George's/24	Appointment Member Remainder of a term of 4 years from July 1, 2009
<b>WORKERS' COMPENSATION COMMISSION, ADVISORY COMMITTEE ON THE BUDGET OF THE</b>	
Michael G. Comeau, Esq. 3509 Glen Oak Drive Jarrettsville, Maryland 21084 Harford/35	Reappointment Member – Chair Term of 3 years from July 1, 2010

Melinda L. Hayes 15015 Tanyard Road Sparks Glencoe, Maryland 21152 Baltimore County/05	Reappointment Member Term of 3 years from July 1, 2012
Patrick A. Roberson, Esq. 2356 Sorrel Court Baltimore, Maryland 21209 Baltimore City/41	Reappointment Member Term of 3 years from July 1, 2011
Sandra I. Dorsey 6305 Grafton Farm Drive Gaithersburg, Maryland 20882 Montgomery/19	Reappointment Member Term of 3 years from July 1, 2012
Kevin P. Foy, Esq. 1201 Overbrook Road Baltimore, Maryland 21239 Baltimore County/42	Reappointment Member Term of 3 years from July 1, 2011
YOUTH CAMP SAFETY, ADVISORY COUNCIL ON	
Deborah G. Badawi, M.D. 14 Edelweiss Way Parkton, Maryland 21120 Baltimore County/05	Appointment DHMH Term of 3 years from July 1, 2011
Robin L. Lansinger 105 Utkewicz Road Centreville, Maryland 21617 Queen Anne's/36	Appointment Camp Leader Remainder of a term of 3 years from July 1, 2009 and a term of 3 years from July 1, 2012
William H. Morgan 20 S. Potomac Street Baltimore, Maryland 21224 Baltimore City/46	Appointment Camp Owner/Manager – ACA Accredited Remainder of a term of 3 years from July 1, 2009 and a term of 3 years from July 1, 2012
Lisa Laschalt 25596 Loveville Road Leonardtown, Maryland 20650 St. Mary's/29	Reappointment Local Health Department Term of 3 years from July 1, 2012
Amanda M. Wahle 603 Warbler Walk Glen Burnie, Maryland 21060 Anne Arundel/31	Appointment National Camping Organization Term of 3 years from July 1, 2012
BALTIMORE CITY COMMUNITY COLLEGE, BOARD OF TRUSTEES OF	
Shelley Payne 1004 N. Bentalou Street Baltimore, Maryland 21216 Baltimore City/40	Appointment Student Term of 1 year from July 1, 2012
BALTIMORE COUNTY BOARD OF ELECTIONS	

Jeanne L. Turnock 3321 Offutt Road Randallstown, Maryland 21133 Baltimore County/10	Appointment Minority Party – Substitute Remainder of a term of 4 years from June 6, 2011
BALTIMORE COUNTY, COMMUNITY COLLEGE TRUSTEES FOR	
Wayne McDowell 37 Anderson Ridge Road Catonsville, Maryland 21228 Baltimore County/12	Reappointment 1st Councilmanic District Term of 5 years from July 1, 2012
Michael P. Ertel, Sr. 505 West Joppa Road Towson, Maryland 21204 Baltimore County/42	Reappointment 5th Councilmanic District Term of 5 years from July 1, 2012
Gloria K. McJilton 7260 Meadow Lane Baltimore, Maryland 21222 Baltimore County/06	Reappointment 7th Councilmanic District Term of 5 years from July 1, 2012
CALVERT COUNTY BOARD OF ELECTRICAL EXAMINERS AND SUPERVISORS	
Robert F. Heinrich 1008 Adelina Road Prince Frederick, Maryland 20678 Calvert/27	Appointment Member Term of 2 years from June 1, 2011
James W. VanDuzer 3916 South Shore Drive Port Republic, Maryland 20676 Calvert/29	Appointment Member Term of 2 years from June 1, 2011
David L. Swann 1290 Adelina Road Prince Frederick, Maryland 20678 Calvert/27	Reappointment Member Term of 2 years from June 1, 2011
CAROLINE COUNTY BOARD OF EDUCATION	
George J. Abner 217 Apple Lane Preston, Maryland 21655 Caroline/37	Appointment Member Term of 6 years from December 3, 2012
Walter B. Palmer, III 121 Butler Drive Denton, Maryland 21629 Caroline/36	Appointment Member Term of 4 years from December 3, 2012
CARROLL COMMUNITY COLLEGE BOARD OF TRUSTEES	
Diane A. Foster 116 Clubside Drive Taneytown, Maryland 21787 Carroll/04	Appointment Member Term of 6 years from July 1, 2012
CARROLL COUNTY ORPHANS' COURT	

Charles E. Harrison 5506 Crows Nest Drive Sykesville, Maryland 21784 Carroll/09	Appointment Judge Remainder of a term of 4 years from the General Election of November 2010
<b>CECIL COLLEGE BOARD OF TRUSTEES</b>	
Cydney Taymar Teal, M.D. 10 Ground Pine Path Elkton, Maryland 21921 Cecil/36	Appointment Member Term of 6 years from July 1, 2012
<b>FREDERICK COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
David F. Buffer 5382 Stone Road Frederick, Maryland 21703 Frederick/03	Appointment Member Remainder of a term of 5 years from July 1, 2008
<b>FREDERICK COUNTY ALCOHOLIC BEVERAGES INSPECTOR</b>	
Harold C. DeLauter 1418 Teal Lane Frederick, Maryland 21703 Frederick/04	Reappointment Inspector Term of 5 years from July 1, 2012
<b>FREDERICK COUNTY BOARD OF LICENSE COMMISSIONERS</b>	
Margaret T. Hays 201 Cobble Way Walkersville, Maryland 21793 Frederick/04	Appointment Member Term of 5 years from July 1, 2012
<b>FREDERICK COUNTY ORPHANS' COURT</b>	
Rosemary A. McDermott 9929 Ebby Road Rocky Ridge, Maryland 21778 Frederick/04	Appointment Judge Remainder of a term of 4 years from the General Election of November 2010
<b>GARRETT COLLEGE BOARD OF TRUSTEES</b>	
Madeleine Collins 553 Crabtree Bottom Road P.O. Box 720 McHenry, Maryland 21541 Garrett/01	Appointment Member Remainder of a term of 6 years from July 1, 2008
Linda S. Sherbin, Esq. 360 Milt DeWitt Road Friendsville, Maryland 21531 Garrett/01	Reappointment Member Term of 6 years from July 1, 2012
Ruth M. Seib 305 Whistlepig Way Oakland, Maryland 21550 Garrett/01	Reappointment Member Term of 6 years from July 1, 2012
<b>GARRETT COUNTY LIQUOR CONTROL BOARD</b>	

Thomas A. Gearhart 5182 George Washington Highway Oakland, Maryland 21550 Garrett/01	Reappointment Majority GCC Party – Rep. Term of 6 years from June 1, 2012
<b>HARFORD COUNTY BOARD OF ELECTIONS</b>	
William G. Christoforo 103 Roland Place Bel Air, Maryland 21014 Harford/35	Appointment Minority Party – Member Remainder of a term of 4 years from June 6, 2011
<b>KENT COUNTY COMMISSIONER</b>	
William A. Short 13735 Eagles Nest Farm Lane P.O. Box 78 Still Pond, Maryland 21667 Kent/36	Appointment Commissioner Remainder of a term of 4 years from the General Election of November 2010
<b>MONTGOMERY COLLEGE BOARD OF TRUSTEES</b>	
Benjamin H. Wu 2 Sandalfoot Court Potomac, Maryland 20854 Montgomery/16	Appointment Member Term of 6 years from July 1, 2012
<b>PRINCE GEORGE'S COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
C. Michael Walls, Esq. 414 Prince George Street Laurel, Maryland 20707 Prince George's/21	Reappointment Member Term of 5 years from July 1, 2012
Samuel J. Parker, Jr. 5601 57th Avenue Riverdale, Maryland 20737 Prince George's/22	Appointment Member Term of 5 years from July 1, 2012
<b>PRINCE GEORGE'S COUNTY BOARD OF ELECTIONS</b>	
James W. Allen, Jr. 4411 Saddler River Drive Bowie, Maryland 20720 Prince George's/24	Appointment Majority Party – Substitute Remainder of a term of 4 years from June 6, 2011
Lester W. Jones 11605 Hickory Drive Fort Washington, Maryland 20744 Prince George's/26	Appointment Majority Party – Substitute Remainder of a term of 4 years from June 6, 2011
<b>PRINCE GEORGE'S COUNTY BOARD OF LICENSE COMMISSIONERS</b>	
David Daesok Son 13610 United Lane Bowie, Maryland 20720 Prince George's/23	Reappointment Democrat Term of 3 years from June 1, 2012
<b>ST. MARY'S COUNTY ALCOHOL BEVERAGE BOARD</b>	

Kevin McGuire Hall 37909 Frankhall Lane P.O. Box 233 Clements, Maryland 20624 St. Mary's/29	Appointment 3rd Commission District Term of 4 years from January 1, 2012
<b>SOMERSET COUNTY BOARD OF LICENSE COMMISSIONERS</b>	
Van B. Muir, Jr. 30742 Perry Road Princess Anne, Maryland 21853 Somerset/38	Reappointment Republican Term of 2 years from June 1, 2011
<b>WICOMICO COUNTY LIQUOR CONTROL BOARD</b>	
David A. MacLeod 603 Hunting Park Drive Salisbury, Maryland 21801 Wicomico/38	Appointment Member Remainder of a term of 2 years from July 1, 2011
<b>WORCESTER COUNTY BOARD OF LICENSE COMMISSIONERS</b>	
Mark L. Scher 107 Winter Quarters Drive Pocomoke City, Maryland 21851 Worcester/38	Appointment Member Term of 4 years from July 1, 2012
<b>WOR–WIC COMMUNITY COLLEGE BOARD OF TRUSTEES</b>	
Andrew W. Booth 8402 Hilda Drive Salisbury, Maryland 21804 Wicomico/38	Reappointment Member Term of 6 years from July 1, 2012

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

## INTRODUCTION OF BILLS

### Senate Bill 1 – Senator Brinkley

AN ACT concerning

#### Income Tax – Pass-Through Entity – Maximum Rate

FOR the purpose of providing that for income distributed to members of certain pass-through entities the State and county income tax rates are limited to certain amounts; defining certain terms; providing for the application of this Act; repealing an obsolete provision; and generally relating to the State and county income tax rates that may apply to income received from certain pass-through entities.

BY repealing and reenacting, with amendments,  
Article – Tax – General

Section 10–105(a) and 10–106(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 2 – Senator Colburn**

EMERGENCY BILL

AN ACT concerning

**Dorchester County – Turkey Hunting on Public Land – Sundays**

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

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 3 – Senator Robey**

AN ACT concerning

**Howard County – Sheriff – Salary Increase**

FOR the purpose of increasing the annual salary of the Sheriff of Howard County to a certain amount over a certain time period; providing that this Act does not apply to the salary or compensation of the incumbent Sheriff during a certain term of office; and generally relating to the salary of the Sheriff of Howard County.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(o)(1)(i)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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



**Senate Bill 4 – Senator Pugh**

AN ACT concerning

**State Personnel – Applicants for Employment – Criminal History Records Checks**

FOR the purpose of prohibiting certain appointing authorities in the Judicial, Executive, and Legislative branches of State government from inquiring into the criminal record or criminal history of an applicant for employment until the applicant has been provided an opportunity for an interview; providing that this Act does not prohibit certain appointing authorities from notifying an applicant for employment of certain information; providing for certain exceptions; requiring the Department of Budget and Management to make certain reports to the General Assembly; providing for the termination of certain provisions of this Act; and generally relating to the conduct of criminal history records checks on applicants for employment in the Judicial, Executive, and Legislative branches of State government.

BY adding to

Article – State Personnel and Pensions

Section 2–203

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 5 – Senator DeGrange**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Anne Arundel County – Meade High School Concession Stand**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2012 to alter the matching fund requirement for a grant for the Meade High School Concession Stand; and generally relating to the Maryland Consolidated Capital Bond Loan of 2012.

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012

Section 1(3) Item ZA02(I)

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

**Senate Bill 6 – Senator Colburn**

AN ACT concerning

**Dorchester County – Restriction on Sunday Gaming – Repeal**

FOR the purpose of repealing a restriction that limits a certain gaming licensee in Dorchester County from holding a gaming event or carnival on a Sunday; and generally relating to Sunday charitable gaming in Dorchester County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1202 and 13–1203(a)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1204  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 7 – Senator Reilly**

AN ACT concerning

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

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

BY adding to  
Article – State Government  
Section 13–504  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 8 – Senators Astle and Middleton**

AN ACT concerning

**Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge**

FOR the purpose of authorizing a gas company to recover certain costs associated with certain gas infrastructure replacement projects through a certain gas infrastructure replacement surcharge on customer bills; requiring project cost calculations to include certain elements; specifying when costs shall be collectible; specifying how the pretax rate of return shall be calculated and adjusted and what it shall include; prohibiting a certain monthly surcharge from exceeding a certain amount for certain customers; providing for the allocation of certain costs among customer classes; providing that certain adjustments for return on equity shall only be considered and determined in a certain base rate case; requiring the Public Service Commission to consider certain factors when establishing revenue requirements; authorizing the Commission to hold a public hearing on a plan within a certain period of time; requiring the Commission to take final action on a plan within a certain period of time; requiring the Commission to take final action on an amendment to a plan within a certain period of time; authorizing the Commission to approve a plan under certain circumstances; requiring the Commission to approve a cost–recovery schedule under certain circumstances; requiring that a surcharge be in effect for a certain time; requiring a gas company to file base rate case applications within a certain period of time; specifying costs to be included in a surcharge when base rate applications are filed; authorizing a gas company to implement a plan under certain circumstances; requiring a gas company implementing a plan to make certain refunds under certain circumstances; requiring the Commission to authorize the gas company to increase a surcharge under certain circumstances; prohibiting the Commission from considering certain factors when reviewing a plan except under certain circumstances; requiring a gas company to file certain plan amendments each year with the Commission; authorizing the Commission to review certain plans and take certain actions based on the review; requiring a gas company to file a revised base rate schedule with the Commission to subtract certain costs from a surcharge under certain circumstances; stating the intent of the General Assembly with regard to the surcharge; defining certain terms; and generally relating to natural gas rate regulation and gas infrastructure replacement surcharges.

BY adding to

Article – Public Utilities

Section 4–210

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 9 – Senators Klausmeier and Ferguson**

AN ACT concerning

**Criminal Law – Table Games and Video Lottery Terminals – Playing by  
Individual Under 21 Years of Age**

FOR the purpose of prohibiting an individual under the age of 21 years from playing a table game or video lottery terminal in a video lottery facility; establishing penalties for a certain violation of this Act; establishing that a person who violates this Act shall be issued a certain citation; authorizing certain individuals to issue certain citations under certain circumstances; requiring the District Court to prescribe a certain form of citation; requiring the jurisdiction that issues a certain citation to forward a copy of the citation and a request for trial to the District Court having a certain venue; requiring the District Court to schedule a certain trial and summon a certain defendant to appear; providing that a willful failure to respond to a certain summons is contempt of court; establishing that a violation of a certain provision of this Act is a Code violation and a civil offense; providing that a minor is subject to certain procedures and dispositions; providing that an individual who is under the age of 21 years but not a minor is subject to certain provisions of this Act; establishing that an adjudication of a certain Code violation is not a criminal conviction for any purpose and does not impose certain disabilities; establishing certain procedures for a certain Code violation proceeding; establishing certain penalties for a certain violation of this Act; prohibiting the Chief Judge of the District Court from establishing a certain schedule for the prepayment of fines; authorizing a court to direct that the payment of a certain fine be suspended or deferred; establishing that the willful failure to pay a certain fine is criminal contempt of court; providing that a certain defendant is liable for certain costs; establishing that a certain defendant has certain rights to appeal or file certain motions; authorizing the State's Attorney to prosecute a certain violation in a certain manner; establishing that a violation of a certain provision of this Act is a violation for certain purposes; authorizing a certain law enforcement officer to issue a citation to a child for a violation of a certain provision of this Act under certain circumstances; defining a certain term; making conforming changes; and generally relating to table game and video lottery terminal violations.

BY adding to

Article – Criminal Law

Section 10–136 and 10–137 to be under the new part “Part V. Table Game and  
Video Lottery Terminal Violations”

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–01(dd) and 3–8A–33(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 10 – Senator Zirkin**

AN ACT concerning

**Baltimore County – Board of Education – Selection of Members**

FOR the purpose of establishing a procedure for the election and appointment of certain members of the Baltimore County Board of Education; repealing certain provisions governing the appointment of all members of the county board; establishing the composition of the county board; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board; requiring the elected members of the county board to reside in, be a registered voter in, and be elected from certain districts; specifying that a member may not be elected or appointed to serve for more than a certain number of consecutive terms; providing for a student member of the county board; providing for the term and duties of the student member; providing for the removal of, and hearings and appeal procedures for, certain members of the county board; providing for the election of the chair and vice chair of the county board; providing for the compensation of the members of the county board; providing for the termination of the terms of the appointed members of the county board; making certain conforming nomenclature changes; and generally relating to the election and appointment of members for the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–109 and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Education  
Section 3–2A–01 through 3–2A–08 to be under the new subtitle “Subtitle 2A.  
Baltimore County”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 11 – Senator Astle**

AN ACT concerning

**Natural Resources – State Boat Act – Expiration of Temporary Certificate of Boat Number**

FOR the purpose of altering the expiration date for a temporary certificate of boat number; and generally relating to temporary certificates of boat number.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–710.2(c)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 12 – Senator Zirkin**

AN ACT concerning

**Labor and Employment – Leave – Deployment of Family Members in the Armed Forces**

FOR the purpose of authorizing certain employees to take leave from work on the day that an immediate family member is leaving for, or returning from, active duty outside the United States as a member of the armed forces of the United States; prohibiting an employer from requiring an employee to use certain leave when taking leave under this Act; authorizing an employer to require an employee who requests leave under this Act to submit certain proof to the employer; defining certain terms; and generally relating to the use of leave by employees and the deployment of immediate family members in the armed forces.

BY adding to  
Article – Labor and Employment  
Section 3–803  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 13 – Senator Rosapepe**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Chesapeake Math and IT Academy Gymnasium**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Chesapeake Math and IT Academy, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 14 – Senator Middleton**

AN ACT concerning

**Utility Service Protection Program – Annual Report – Deadline**

FOR the purpose of altering the date by which the Public Service Commission must report each year to the General Assembly on terminations of gas or electric service occurring during the previous heating season; and generally relating to the Utility Service Protection Program.

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–307(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–307(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 15 – Senator Young**

AN ACT concerning

**Maryland Transportation Authority – Tolls – U.S. Route 15**

FOR the purpose of requiring the Maryland Transportation Authority to seek to execute a memorandum of understanding with the Federal Highway Administration stating that the Authority may collect tolls on U.S. Route 15 in a certain manner and use the toll revenue to finance certain improvements to U.S. Route 15; requiring the Authority to submit a report including certain information to the Governor and the General Assembly if the Authority

determines that a memorandum of understanding that satisfies certain requirements cannot be executed; requiring the Authority to implement a memorandum of understanding that satisfies certain requirements as soon as practicable; and generally relating to the collection of tolls to finance certain improvements to U.S. Route 15.

BY adding to

Article – Transportation  
Section 4–322  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 16 – Senator Reilly**

AN ACT concerning

#### **Anne Arundel County – Alcoholic Beverages – Refillable Container License**

FOR the purpose of creating in Anne Arundel County a refillable container license; authorizing the Board of License Commissioners to issue the license to a holder of certain classes of alcoholic beverages license issued by the Board; specifying that a holder of the license may sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements; specifying the term of the license; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that was branded by the license holder; requiring the Board to adopt certain regulations; and generally relating to alcoholic beverages in Anne Arundel County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages  
Section 8–202(a) and (b)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages  
Section 8–202(l)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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



**Senate Bill 17 – Senators Klausmeier, Reilly, Frosh, Rosapepe, and Colburn**

AN ACT concerning

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

FOR the purpose of requiring the Governor annually to proclaim a certain day as German–American Heritage Day; requiring the proclamation to urge certain organizations to observe the day with certain activities; and generally relating to German–American Heritage Day.

BY adding to

Article – State Government

Section 13–411

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 18 – Senator Young**

AN ACT concerning

**Public Safety – Building Codes – Balcony Inspections  
(Jonathan’s Law)**

FOR the purpose of requiring a political subdivision to require periodic inspections of certain multifamily dwellings with balconies to ensure that each balcony meets certain requirements; authorizing a political subdivision to conduct the inspections, authorize a third party to conduct the inspections, or require a certain professional inspector to conduct and certify the inspections in a certain manner; authorizing a political subdivision to charge a fee for a periodic inspection; defining certain terms; requiring a political subdivision to require a certain inspection under this Act of certain multifamily dwellings on or before a certain date; providing for the application of this Act; and generally relating to inspections of balconies in multifamily dwellings.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 12–203

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 19 – Senator Jennings**

AN ACT concerning

**Crimes – Aiming Laser Pointer at Aircraft**

FOR the purpose of making it a misdemeanor to knowingly and willfully shine, point, or focus the beam of a laser pointer on an individual operating an aircraft; exempting certain individuals from this Act under certain circumstances; specifying a penalty; specifying that a sentence imposed under this Act is in addition to a certain other sentence; defining a certain term; and generally relating to the criminal use of a laser pointer.

BY adding to

Article – Criminal Law

Section 3–807

Annotated Code of Maryland

(2002 Volume and 2012 Supplement)

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

**Senate Bill 20 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Talbot County – Easton Head Start Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of Shore Up!, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 21 – Senator Klausmeier**

AN ACT concerning

**Natural Resources – Aquaculture Coordinating Council – Reporting Date**

FOR the purpose of altering the date by which the Aquaculture Coordinating Council must make certain proposals and recommendations to the Governor and certain

legislative committees each year; and generally relating to the Aquaculture Coordinating Council.

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 4–11A–03.2(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–11A–03.2(c)(1)(i)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 22 – Senator Brinkley**

AN ACT concerning

**Sales and Use Tax – Exemption – Home Wheelchair Lifts and Stairlifts**

FOR the purpose of exempting from the sales and use tax the sale of home wheelchair lifts and stairlifts; and generally relating to a sales and use tax exemption for certain physical aids.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–211(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 23 – Senators Klausmeier, King, Manno, Simonaire, Young, and Stone**

AN ACT concerning

**Income Tax – Credit for Long–Term Care Premiums**

FOR the purpose of altering a certain limitation on a certain credit against the State income tax for certain long–term care insurance premiums paid by a taxpayer; altering the amount a taxpayer may claim as a credit for certain long–term care insurance purchased after a certain date; providing for the application of this

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

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–718  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 24 – Senator Pipkin**

AN ACT concerning

#### **Queen Anne’s County – Deer Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person to hunt deer on private property in Queen Anne’s County using certain hunting equipment on certain Sundays during certain hunting seasons; and generally relating to deer hunting on private property on Sundays.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 25 – Senators Forehand and Klausmeier**

AN ACT concerning

#### **Vehicle Laws – Title and Registration – Transfer to Surviving Spouse**

FOR the purpose of establishing that when the interest in a vehicle of one joint owner passes by operation of law to another joint owner who is the surviving spouse, the surviving spouse is not required to apply for a new certificate of title or submit a certain certificate of title to the Motor Vehicle Administration until a certain time; authorizing a surviving spouse to drive a certain vehicle and allow the vehicle to be driven on a highway until a certain time without applying for a certain registration if the interest in the vehicle passes to the surviving spouse through joint ownership; prohibiting the Administration, on the death of a joint owner of a vehicle, from charging a fee to another joint owner who is the surviving spouse for the issuance of a new certificate of title for the vehicle; and

generally relating to the title and registration of a vehicle transferred to a surviving spouse.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–114, 13–504, 13–801, and 13–802  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–805  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 26 – Senator Colburn**

AN ACT concerning

#### **State Designations – State Sandwich – Soft–Shell Crab Sandwich**

FOR the purpose of designating the soft–shell crab sandwich as the State sandwich.

BY adding to  
Article – State Government  
Section 13–322  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 27 – Senator Astle**

AN ACT concerning

#### **Chesapeake Conservation Corps Program – Extension**

FOR the purpose of repealing certain limitations on the requirement to provide certain funding in certain fiscal years to the Chesapeake Conservation Corps Program for certain purposes from the Environmental Trust Fund; requiring certain funding for the Corps Program each fiscal year; and generally relating to the Chesapeake Conservation Corps Program and the Environmental Trust Fund.

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 3–302(a)(1) and 8–1913(a) and (c)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 3–302(d) and 8–1921  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 28 – Senator Young**

AN ACT concerning

#### **Real Property – Blighted Property – Nuisance Abatement**

FOR the purpose of requiring the owner of a blighted property, on notification from the appropriate unit of local government, to remediate the property's code violations in a certain manner and within a certain period of time; authorizing the appropriate unit of local government to grant an extension of certain required time periods; prohibiting an owner of a blighted property from offering the property for lease until the property meets certain code requirements; authorizing the appropriate unit of a certain local government to declare a blighted property a nuisance and order the owner to abate the nuisance; requiring the appropriate unit of local government to grant a certain extension if, within a certain period of time, the owner lists the property for sale with a licensed real estate broker at a price that does not exceed a certain amount; requiring the owner to provide certain notice to potential buyers; authorizing the appropriate unit of local government to grant a certain additional extension; authorizing a local government to impose a fine equal to a certain amount under certain circumstances; requiring the new owner to remediate the property's code violations in a certain manner and within a certain period of time under certain circumstances; defining a certain term; and generally relating to nuisance abatement of blighted properties.

BY adding to  
Article – Real Property  
Section 14–120.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 29 – Senators Klausmeier, Forehand, Ferguson, and Colburn**

AN ACT concerning

**Estates and Trusts – Personal Representative – Administration of  
Internet-Based Accounts**

FOR the purpose of authorizing a personal representative to take control of, conduct, continue, or terminate an account of the decedent on a social networking Web site, microblogging or short message service Web site, or electronic mail service Web site.

BY adding to

Article – Estates and Trusts

Section 7–401(ee)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 30 – Senators Zirkin and Forehand**

AN ACT concerning

**Vehicle Laws – Prohibition Against Smoking in Vehicle Containing Young  
Child**

FOR the purpose of prohibiting the driver of a motor vehicle in which a person who is under a certain age is a passenger from smoking a tobacco product or allowing a passenger to smoke in the motor vehicle; establishing a penalty for a violation of this Act; providing that a violation of this Act is not a moving violation; providing for the application of this Act; defining a certain term; and generally relating to prohibitions against tobacco smoking in a motor vehicle.

BY adding to

Article – Transportation

Section 21–1130 and 27–115

Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 31 – Senator Pipkin**

AN ACT concerning

**Queen Anne’s County – Beer, Wine and Liquor Tasting License**

FOR the purpose of creating in Queen Anne’s County a beer, wine and liquor tasting license; specifying to whom the license may be issued; setting maximum limits on the amounts of certain individual servings; specifying that the license may be issued for tasting purposes only; establishing a license fee; and generally relating to alcoholic beverages licenses in Queen Anne’s County.

BY renumbering

Article 2B – Alcoholic Beverages  
Section 8–410.2 and 8–410.3, respectively  
to be Section 8–410.3 and 8–410.4, respectively  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages  
Section 8–410.2  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 32 – Senator Colburn**

AN ACT concerning

#### **Alcoholic Beverages – Brewery License – On–Premises Consumption**

FOR the purpose of authorizing brewery licensees to sell beer to certain persons for on–premises consumption; limiting the total amount of beer that may be sold annually by a licensee under this Act; and generally relating to alcoholic beverages in the State.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 2–206  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 33 – Senator Pipkin**

AN ACT concerning



**Creation of a State Debt – Queen Anne’s County – Wye River Upper School**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of the Wye River Upper School, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 34 – Senator Brinkley**

AN ACT concerning

**Corporate Income Tax – Rate Reduction**

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations; providing for the application of this Act; and generally relating to the Maryland corporate income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 35 – Senator Pipkin**

AN ACT concerning

**Queen Anne’s County – Alcoholic Beverages – Micro–Brewery Licenses**

FOR the purpose of adding Queen Anne’s County to the list of counties in which a Class 7 micro–brewery license may be issued; adding Queen Anne’s County to the list of counties in which the beer brewed by the license holder for consumption off the licensed premises may be sold in refillable containers; and generally relating to alcoholic beverages in Queen Anne’s County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–208  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 36 – Senator Young**

AN ACT concerning

**Frederick County – Slot Machines for Nonprofit Organizations**

FOR the purpose of adding Frederick County to the list of counties in which certain nonprofit fraternal, religious, and war veterans' organizations may own and operate a certain number of slot machines under certain circumstances; and generally relating to slot machines in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 37 – Senator Zirkin**

AN ACT concerning

**Criminal Law – Animal Cruelty – Payment of Costs**

FOR the purpose of authorizing a court to order a defendant convicted of a certain charge of animal cruelty, as a condition of sentencing, to pay, in addition to any other fines and costs, all reasonable costs incurred in removing, housing, treating, or euthanizing an animal confiscated from the defendant; and generally relating to animal cruelty.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–604, 10–606, 10–607, and 10–608  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 38 – Senator Young**

AN ACT concerning

**Income Tax – Tax Credit for Wineries and Vineyards**

FOR the purpose of allowing a credit against the State income tax for certain qualified expenditures at certain wineries and certain vineyards; requiring the Maryland Department of Agriculture to administer a certain tax credit; providing for the maximum amount of tax credits that may be issued by the Department each year; requiring the Comptroller to adopt certain regulations; defining certain terms; providing for the application of this Act; and generally relating to an income tax credit for certain expenditures at certain wineries and certain vineyards.

BY adding to

Article – Tax – General

Section 10–733

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 39 – Senator Colburn**

AN ACT concerning

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

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

BY adding to

Article – Transportation

Section 13–619.3

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 40 – Senator Young**

AN ACT concerning

**Motor Vehicle Administration – Organ Donation – Presumed Consent  
(Patricia Hanberry Gift of Life Act)**

FOR the purpose of requiring the Motor Vehicle Administration to notify an applicant for a driver's license or identification card that the applicant shall be deemed to have consented to be an organ donor unless the applicant expressly chooses not to consent; requiring the Administration to provide for a method by which the applicant can designate that the applicant does not consent to being an organ donor; requiring the Administration to indicate whether an individual is an organ donor on the individual's driver's license or identification card; clarifying language; and generally relating to a presumption of consent to organ donation by an applicant for a driver's license or identification card.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–303  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 41 – Senator Pipkin**

AN ACT concerning

**Kent County – Deer Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person to hunt deer on private property in Kent County using certain hunting equipment on certain Sundays during certain hunting seasons; and generally relating to deer hunting on private property on Sundays.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 42 – Senators Montgomery, Colburn, Jones–Rodwell, King,  
Manno, Garagiola, Forehand, Madaleno, Raskin, and Currie**

AN ACT concerning

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

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

BY adding to

Article – State Government

Section 13–411

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 43 – Senator Zirkin**

AN ACT concerning

#### **Courts – Evidence – Vehicle Repair Estimates**

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

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 10–105

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 44 – Senator Currie**

AN ACT concerning

#### **Occupational and Professional Licensing – Military Training and Military Spouses**

FOR the purpose of requiring an occupational licensing board to issue a license, certificate, permit, or registration to an applicant who is military trained or who is a military spouse if the applicant meets certain requirements; requiring an

occupational licensing board to consider certain types of experience for a certain calculation; authorizing an occupational licensing board to issue a temporary license, certificate, permit, or registration under certain circumstances; requiring an occupational licensing board to adopt regulations necessary to carry out this Act; establishing that this Act does not prohibit an applicant from applying for an occupational or professional license, certificate, permit, or registration under any other provision of law; defining certain terms; and generally relating to occupational and professional licenses, certificates, permits, and registrations for military-trained individuals and military spouses.

BY adding to

Article – State Government

Section 10–1301 and 10–1302 to be under the new subtitle “Subtitle 13. Occupational and Professional Licensing for Military Training and Military Spouses”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 45 – Senator Rosapepe**

AN ACT concerning

#### **Maryland Consolidated Capital Bond Loan of 2006 – Prince George’s County – College Park City Hall**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to provide that a certain grant for the College Park City Hall may not terminate before June 1, 2015; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2006.

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 707 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(BI)

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

### **Senate Bill 46 – Senator Colburn**

AN ACT concerning

#### **Natural Resources – Shark or Elasmobranch Fins – Restriction on Possession, Distribution, or Consumption**

FOR the purpose of prohibiting a person from possessing, selling, offering for sale, trading, or distributing a shark or other elasmobranch fin; exempting a certain person from the prohibition against possessing a shark fin under certain circumstances; authorizing a certain person to use a ray or skate as bait under certain circumstances; prohibiting a person from selling or consuming shark fin soup; requiring the Department of Natural Resources to adopt regulations to implement this Act; defining a certain term; and generally relating to a restriction on the possession or distribution of a shark or other elasmobranch fin.

BY adding to

Article – Natural Resources  
Section 4-747  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 47 – Senator Young**

AN ACT concerning

#### **Procurement – Maryland Buy American Steel and Manufactured Goods Act**

FOR the purpose of altering the Maryland Buy American Steel Act to include American manufactured goods; requiring a public body to require that certain contractors and subcontractors use or supply only American manufactured goods under certain procurements; defining a term; providing for the application of this Act; requiring a public body to give a certain notice; requiring the Board of Public Works to adopt certain regulations regarding the granting of a preference for the use of American manufactured goods; and generally relating to the Maryland Buy American Steel and Manufactured Goods Act.

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 17-301, 17-303, 17-304, and 17-306 to be under the amended subtitle  
“Subtitle 3. Buy American Procurement for Public Works”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 17-302 and 17-305  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 48 – Senator Young**

AN ACT concerning

**Income Tax – Subtraction Modification – Retirement Income**

FOR the purpose of altering the maximum amount of a subtraction modification allowed under the State income tax for certain retirement income of an individual of a certain age or who is totally disabled or whose spouse is totally disabled; altering the maximum amount of a certain subtraction modification allowed for certain taxable years; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain retirement income.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–209  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 49 – Senator Pipkin**

AN ACT concerning

**Alcoholic Beverages – Queen Anne’s County – Beer and Wine Festivals**

FOR the purpose of authorizing the Queen Anne’s County Board of License Commissioners to issue a certain number of Beer and Wine Festival (BWF) licenses in the county each year; authorizing the Board to select a certain number of weekends each year for a certain festival; requiring the Board to choose a certain location for a certain festival and to ensure that the primary focus of a certain festival is the promotion of certain beer and wine; altering a certain definition; making a technical correction; and generally relating to beer and wine festivals in Queen Anne’s County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–311  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)



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

**Senate Bill 50 – Senator Young**

AN ACT concerning

**Income Tax – Subtraction Modification – Segal AmeriCorps Education Award**

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain education awards from the Segal AmeriCorps Education Award program; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification for certain education awards.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Tax – General  
Section 10–207(aa)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 51 – Senator Young**

AN ACT concerning

**Employment Contracts – Noncompetition Covenant – Conditions Affecting Enforcement**

FOR the purpose of limiting the enforcement of a noncompetition covenant between an individual and the individual's prior employer under certain circumstances; providing for the application of this Act; and generally relating to employment contracts.

BY adding to  
Article – Labor and Employment  
Section 3–713  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 52 – Senator Colburn**

AN ACT concerning

**Family Law – Denial of Custody or Visitation – Sexual Abuse of a Minor**

FOR the purpose of prohibiting a court, except under certain circumstances, from awarding custody of a child or visitation with a child to a parent who has been found by a court to be guilty of a certain offense of sexual abuse of a minor; providing for the application of this Act; and generally relating to child custody and visitation.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 9–101.2  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 53 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – Administrative Review of Contested Cases**

FOR the purpose of repealing certain provisions of law relating to the Board of Review of the Department of Agriculture, including provisions requiring persons in certain contested cases to exhaust an avenue of appeal to the Board of Review before pursuing review in court; making certain conforming changes; and generally relating to the administrative review of contested cases at the Department of Agriculture.

BY repealing  
Article – Agriculture  
Section 2–401 through 2–405 and the subtitle “Subtitle 4. Board of Review of  
Department of Agriculture”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–103(h) and 2–106  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 54 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Scholarship Funds – Technical  
Alterations**

FOR the purpose of amending provisions of the Educational Excellence Fund, the Edward T. Conroy Scholarship Fund, the Veterans of the Afghanistan and Iraq Conflicts Scholarship Fund, and the Workforce Shortage Student Assistance Grant Fund to require each of the funds to be special, nonlapsing funds that are administered by the Maryland Higher Education Commission, held by the State Treasurer, and accounted for by the Comptroller; repealing requirements for the funds to be held in nonbudgeted accounts; defining certain terms; making technical changes; and generally relating to technical alterations to certain scholarship fund provisions.

BY repealing and reenacting, with amendments,

Article – Education

Section 15–106.7(a), 18–310, 18–601(a) and (h), 18–604(k), and 18–708(a) and  
(o)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 18–601(b) and (c), 18–604(b), and 18–708(b)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 55 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Private Career Schools – Solicitor Permits – Repeal**

FOR the purpose of repealing the requirement that a solicitor for a private career school located outside the State obtain a permit from the Maryland Higher Education Commission; and generally relating to requirements for solicitors for private career schools.

BY repealing

Article – Education

Section 11–402

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 56 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Unauthorized Institutions of Postsecondary Education – Transcripts,  
Diplomas, and Grade Reports – Penalties**

FOR the purpose of prohibiting a person from buying, selling, distributing, using, offering, or presenting as genuine a transcript, diploma, or grade report of an entity that represents itself as an institution of postsecondary education if the entity is not authorized to operate as an institution of post secondary education in the State or another state or country; and generally relating to transcripts, diplomas, and grade reports of unauthorized institutions of postsecondary education.

BY repealing and reenacting, with amendments,

Article – Education

Section 26–301

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 57 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board of Individual Tax Preparers – Prohibited Acts – Civil Penalty**

FOR the purpose of authorizing the State Board of Individual Tax Preparers to impose a certain civil penalty against a person who violates certain provisions of law; requiring the Board to consider certain factors to determine the amount of the penalty; requiring the Board to pay penalties collected under this Act to the General Fund of the State; and generally relating to the disciplinary authority of the State Board of Individual Tax Preparers.

BY adding to

Article – Business Occupations and Professions  
Section 21–405  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 58 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**Adult Education and Literacy Services – High School Diploma by  
Examination – Eligibility Requirements**

FOR the purpose of repealing a certain minimum period of residency requirement for individuals who reside in Maryland and are seeking to obtain a high school diploma by examination; repealing a certain provision, rendered obsolete by this Act, relating to waivers of the minimum residency requirement; and generally relating to the requirements an individual must meet to obtain a high school diploma by examination.

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 11–808  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 59 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Fish and Fisheries**

FOR the purpose of repealing a certain exemption for certain veterans' hospital patients from the requirement to obtain an angler's license under certain circumstances; repealing a certain provision of law that establishes the date by which the Department of Natural Resources annually is required to adopt regulations governing open seasons to catch certain species in nontidal waters; repealing a certain provision of law that lists certain nontidal species for which the Department is required to establish open seasons; repealing certain provisions of law that prohibit a person from using, and authorize a person to use, certain devices while catching fish under certain circumstances; narrowing a certain restriction on the number of hooks that may be used to catch fish to apply only to tidal fish licensees; repealing a certain provision of law that prohibits the possession of peeler crabs of a certain size in an amount that exceeds the established bycatch limits; repealing the requirement that the Department use the minimum representative number of containers necessary when determining the peeler crab bycatch; repealing a certain bycatch limit for soft crabs; repealing certain timeframes under which the Department is required to publish notice of and hold a public hearing under certain circumstances regarding lobster harvest regulations; repealing a requirement that certain notices related to lobster harvest regulations be published in certain newspapers; altering the information that a person is required to provide on an application for a commercial oyster license; altering the residency requirement that a person is required to fulfill to be eligible for a commercial oyster or clam license; authorizing the Department to adopt regulations establishing the procedures for selling oysters and clams; repealing the prohibition against the sale or purchase of oysters or clams in locations other than a buying station; repealing certain procedures that a buyer of oysters or clams at a buying station is required to follow; repealing a certain provision of law that authorizes a person to buy soft-shell clams anywhere for certain purposes and requires the seller of the soft-shell clams to pay a certain tax; repealing a certain provision of law that establishes certain limitations on and authorizations for the use of patent tongs and hand tongs in certain areas of the State; repealing a certain provision of law prohibiting the harvest of oysters by dredge subject to certain exceptions; repealing certain standards for containers for the measurement of oysters sold in the State and authorizing the Department to adopt regulations governing the size, type, and use of oyster containers used to measure oysters harvested or sold in the State; making certain technical corrections; making certain stylistic changes; and generally relating to fish and fisheries.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-217(e), 4-603, 4-617, 4-710(h) and (i), 4-809, 4-901, 4-1004, 4-1007, 4-1012, and 4-1015.1(c)

Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing

Article – Natural Resources  
Section 4–619, 4–620, 4–710(g), 4–1011, and 4–1018(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to

Article – Natural Resources  
Section 4–1018(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 60 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Housing and Community  
Development)**

AN ACT concerning

**Community Development Administration – Residential Mortgage Loans –  
Financial Assistance for Families of Limited Income**

FOR the purpose of authorizing the Community Development Administration in the Department of Housing and Community Development to award certain grants; authorizing the Administration to make, participate in making, and undertake a commitment for financial assistance to a family of limited income for certain purposes; requiring the Secretary of Housing and Community Development to determine the terms and qualifications of the financial assistance provided under this Act; and generally relating to financial assistance awarded by the Community Development Administration to families of limited income.

BY repealing and reenacting, with amendments,

Article – Housing and Community Development  
Section 4–206 and 4–235  
Annotated Code of Maryland  
(2006 Volume and 2012 Supplement)

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

**Senate Bill 61 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Public Hearings – Notice Requirement**

FOR the purpose of authorizing the Department of the Environment to comply with a certain requirement to publish notice of certain public hearings by publishing the notice on its Web site instead of in a certain newspaper; and generally relating to notice of public hearings by the Department of the Environment.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 2–303  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 62 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Housing and Community  
Development)**

AN ACT concerning

**Community Legacy Program – Application Requirements – Approval by  
Authorized Designee**

FOR the purpose of authorizing a political subdivision to approve an application to the Department of Housing and Community Development for a sustainable community plan or community legacy project by delivery of a letter, by a certain authorized designee, expressing support for the plan or project; and generally relating to the Department of Housing and Community Development and approval of sustainable community plans and community legacy projects.

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 6–206  
Annotated Code of Maryland  
(2006 Volume and 2012 Supplement)

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

**Senate Bill 63 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning



**Maryland Higher Education Commission – Institutional Renewal Fees and Religious Educational Institutions**

FOR the purpose of clarifying that the Maryland Higher Education Commission is authorized to impose certain renewal fees on certain institutions of postsecondary education; altering certain conditions under which the Commission may authorize certain religious educational institutions to operate without a certificate of approval; requiring certain religious educational institutions to obtain a certificate of approval under certain circumstances; clarifying certain procedures and establishing certain additional requirements related to certain religious educational institutions; and generally relating to renewal fees for all institutions of postsecondary education and exempt and nonexempt religious educational institutions.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 11–105(o) and 11–202.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 64 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Controlled Hazardous Substance Vehicles – Display of Certificates**

FOR the purpose of repealing the requirement that certain haulers, while transporting a controlled hazardous substance, display a certain certificate on the outside of the cab of the controlled hazardous substance vehicle; and generally relating to controlled hazardous substance vehicle certificates.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 7–252  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 65 – Chair, Finance Committee (By Request – Departmental – Workers’ Compensation Commission)**

AN ACT concerning

**Workers' Compensation – Claim Processing – Electronic Delivery of Decisions**

FOR the purpose of providing that a copy of certain decisions by the Workers' Compensation Commission may be sent by electronic means to a party or the party's attorney of record under certain circumstances; and generally relating to the delivery of decisions by the Workers' Compensation Commission.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–308 and 9–714  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 66 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Maryland Home Improvement Commission – Membership, Quorum, and Meetings**

FOR the purpose of altering the membership of the Maryland Home Improvement Commission; altering the quorum requirement for the Commission; altering the required frequency of Commission meetings; and generally relating to the Maryland Home Improvement Commission.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 8–202(a) and 8–204(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 67 – Chair, Budget and Taxation Committee (By Request – Departmental – Budget and Management)**

AN ACT concerning

**Central Collection Unit – Monitoring and Recording of Telephone Calls**

FOR the purpose of authorizing the Central Collection Unit in the Department of Budget and Management to manage the monitoring and recording of certain telephone calls for certain purposes; requiring monitored or recorded telephone calls to contain a certain notice; and generally relating to the monitoring and recording of telephone calls by the Central Collection Unit.

BY adding to

Article – State Finance and Procurement  
Section 3–304(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 68 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Comptroller – Monitoring and Recording of Telephone Calls – Training and Quality Assurance**

FOR the purpose of authorizing the Comptroller of the State to manage the monitoring and recording of certain telephone calls for certain purposes; requiring monitored or recorded telephone calls to contain a certain notice; prohibiting the use of information derived from certain telephone calls in certain proceedings, except under certain circumstances; prohibiting the retention of certain recordings for more than a certain number of days, except under certain circumstances; and generally relating to the monitoring and recording of telephone calls by the Comptroller.

BY adding to

Article – Tax – General  
Section 2–114  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 69 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 12–104 and 13–1015  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 70 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Business and Economic Development)**

EMERGENCY BILL

AN ACT concerning

**Business and Economic Development – Enterprise Fund and Invest  
Maryland Program**

FOR the purpose of altering the uses and composition of the Enterprise Fund in the Department of Business and Economic Development; authorizing the Department to acquire a certain ownership interest under certain circumstances; expanding certain prohibitions to apply to a purchaser of tax credits under the Invest Maryland Program; altering a certain reporting requirement; altering the method by which a venture firm may make a distribution that is not a qualified distribution; requiring the Comptroller to make certain payments into the Enterprise Fund and the General Fund under certain circumstances; altering certain information that must be included in a certain annual report by the Department; altering a certain definition; making this Act an emergency measure; and generally relating to the Enterprise Fund and Invest Maryland Program.

BY repealing and reenacting, without amendments,  
Article – Economic Development  
Section 5–602(a) and 6–501(f), (h), (k), (l), (m), (o), and (p)  
Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development

Section 5–602(b) and (g), 5–603(b), 6–501(n), 6–520, 6–521(a), 6–522, and 6–529

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

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

**Senate Bill 71 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Human Resources)**

AN ACT concerning

**Child Support Enforcement – Information from Financial Institutions –  
Claims Against Retirement Plans**

FOR the purpose of altering a certain definition in certain provisions of law authorizing the Child Support Enforcement Administration to request from certain financial institutions information and assistance to enforce child support; providing an exception to a certain exemption of certain retirement plans from the claims of certain creditors to allow claims by the Department of Human Resources for purposes of child support enforcement; and generally relating to child support enforcement.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 10–108.2(a)(2)(i)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 11–504(h)

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 72 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicles – Damage to Highways from Oversized Vehicles – Liability  
and Penalties**

FOR the purpose of establishing that a person who drives or moves certain oversized loads on certain highways is liable for all damage caused to the highways as a result of driving or moving the oversized load; establishing certain maximum civil penalties applicable to a person who causes certain damage to certain highways as a result of driving or moving certain oversized loads; establishing joint and several liability under certain circumstances for certain persons who are assessed a civil penalty under this Act; authorizing certain persons to bring an action for a civil penalty under this Act under certain circumstances; and generally relating to liability and penalties for damage to highways caused by oversized vehicles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 24–208  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 73 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Piling, Poles, Mill Logs, and Similar Cargo – Length,  
Overhang, and Fastening Standards**

FOR the purpose of altering the exemptions from length and overhang limits for vehicles carrying piling, poles, or mill logs; establishing length and overhang limits at which a hauling permit from the State Highway Administration would be required for vehicles carrying piling, poles, or mill logs; repealing the requirement that piling, poles, mill logs, and other similar cargo be transported while enclosed within the sides or ends of the body of the vehicle; altering the fastening standards for transporting piling, poles, mill logs, and other similar cargo; and generally relating to the transportation of piling, poles, mill logs, and other similar cargo.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 24–101  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 24–104.1, 24–105, and 24–106.2

Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 74 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Natural Resources)**

AN ACT concerning

**Vessels – Operating While Under the Influence of or Impaired by Alcohol or  
Drugs**

FOR the purpose of providing that certain alcohol– or drug–related offenses apply to a person operating a vessel propelled only by sail; and generally relating to operating a vessel while under the influence of or impaired by alcohol or drugs.

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 8–738(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 8–738(g)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 75 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Administration – Investigative Division – Issuance of Citations**

FOR the purpose of authorizing an employee of the Investigative Division of the Motor Vehicle Administration to issue citations to the same extent as a police officer under certain circumstances; altering the violations for which an employee of the Investigative Division may issue a citation under certain circumstances; making certain stylistic changes; and generally relating to the authority of employees of the Investigative Division of the Motor Vehicle Administration to issue citations.

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 11–147  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–104.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 76 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Administration – Fee-Setting Authority – Miscellaneous Fees**

FOR the purpose of repealing the requirement that the Motor Vehicle Administration, before the start of a fiscal year, alter the levels of certain miscellaneous fees for the upcoming fiscal year if a certain projected cost recovery exceeds a certain amount; repealing a certain limit on the levels at which the Administration may set miscellaneous fees; repealing certain language made obsolete by this Act; and generally relating to Motor Vehicle Administration fees.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 12–120  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 77 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board of Plumbing – Continuing Professional Competency – Master  
Plumbers and Master Natural Gas Fitters**

FOR the purpose of requiring the State Board of Plumbing to adopt regulations to require under certain circumstances a certain demonstration of professional competency as a condition of renewal of a master plumber license or a master



natural gas fitters license; providing for implementation of the continuing professional competency program on a phased-in basis; and generally relating to master plumber and master natural gas fitters licenses issued by the State Board of Plumbing.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 12–308  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 78 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**Maryland Home Improvement Commission – Guaranty Fund – Claims**

FOR the purpose of altering the maximum amount of a claim against the Home Improvement Guaranty Fund for which the Maryland Home Improvement Commission may issue a proposed order without a hearing; and generally relating to the Maryland Home Improvement Commission and the Home Improvement Guaranty Fund.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 8–407  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 79 – Chair, Finance Committee (By Request – Departmental –  
Health and Mental Hygiene)**

AN ACT concerning

**Department of Health and Mental Hygiene – Advisory Councils – Renaming  
and Termination**

FOR the purpose of renaming the State Advisory Council on Heart Disease and Stroke to be the State Advisory Council on Chronic Disease; altering the duties and the

membership of the Advisory Council; altering the length of a member's term and the number of times the Advisory Council must meet each year; authorizing the Advisory Council to create certain subcommittees; repealing certain provisions of law that establish and govern the State Advisory Council on Physical Fitness and the State Advisory Council on Arthritis and Related Diseases; specifying the terms of the initial members of the State Advisory Council on Chronic Disease; repealing and altering certain definitions; making certain conforming changes; and generally relating to advisory councils in the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–201 through 13–206 to be under the amended subtitle “Subtitle 2. Chronic Disease Programs”; and 13–502

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing

Article – Health – General

Section 13–401 through 13–410 and the subtitle “Subtitle 4. Physical Fitness”; and 13–505 through 13–509

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY renumbering

Article – Health – General

Section 13–510, 13–511, and 13–512, respectively to be Section 13–505, 13–506, and 13–507, respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 80 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Public Health – Prescription Drug Monitoring Program – Disclosure of Prescription Monitoring Data**

FOR the purpose of adding the Division of Drug Control of the Department of Health and Mental Hygiene to the list of certain entities to which the Prescription Drug Monitoring Program must disclose prescription monitoring data under certain circumstances; and generally relating to the Prescription Drug Monitoring Program.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 21–2A–06(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–2A–06(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 81 – Chair, Finance Committee (By Request – Departmental –  
Labor, Licensing and Regulation)**

AN ACT concerning

**Education and Workforce Training Coordinating Council for Correctional  
Institutions – Membership**

FOR the purpose of altering the membership of the Education and Workforce Training Coordinating Council for Correctional Institutions to allow designees of certain members to serve in the members' stead; and generally relating to the membership of the Education and Workforce Training Coordinating Council for Correctional Institutions.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 11–901  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 82 – Chair, Finance Committee (By Request – Departmental –  
Labor, Licensing and Regulation)**

AN ACT concerning

**Elevator Safety Review Board – Third–Party Inspectors – Certification**

FOR the purpose of altering the definition of “third–party qualified elevator inspector”, as it relates to the regulation of elevator safety, to require certification by a certain nationally recognized safety organization that meets certain standards;

and generally relating to elevator safety and third-party qualified elevator inspectors.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–801  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 83 – Chair, Finance Committee (By Request – Departmental – Aging)**

AN ACT concerning

**Department of Aging – Aging and Disability Resource Center Program – Maryland Access Point**

FOR the purpose of establishing the Aging and Disability Resource Center Program in the Department of Aging; providing that the Program is the State’s Aging and Disability Resource Center for purposes of the federal Older Americans Act; specifying the purpose of the Program; requiring the Department to administer, supervise, and coordinate the Program with the cooperation of certain other State agencies; requiring the Program to designate local Program offices and provide certain services and materials; defining certain terms; and generally relating to the Aging and Disability Resource Center Program.

BY adding to  
Article – Human Services  
Section 10–1001 through 10–1004 to be under the new subtitle “Subtitle 10. Aging and Disability Resource Center Program”  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

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

**Senate Bill 84 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Examiners of Landscape Architects – License Renewal – Continuing Professional Competency Requirements**

FOR the purpose of prohibiting, subject to certain exceptions, the State Board of Examiners of Landscape Architects from renewing for a second or subsequent time a license to practice landscape architecture unless the licensee demonstrates continuing professional competency by completing a certain number of hours of professional development activities approved by the Board; requiring the Board to waive certain continuing professional competency requirements for license renewal under certain circumstances; and generally relating to continuing professional competency requirements for license renewal by the State Board of Examiners of Landscape Architects.

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 9–309  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 85 – Chair, Finance Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Maryland Port Commission – Management Personnel Appointments –  
Operating and Managing Port Facilities**

FOR the purpose of authorizing the Maryland Port Commission to determine the qualifications for appointment and the compensation and benefits for up to a certain number of management personnel positions required to operate and manage State-owned port facilities; establishing that those employees are State employees; recodifying certain provisions of law relating to management personnel employees performing services for certain private operating companies; making conforming and clarifying changes; and generally relating to management personnel and the Maryland Port Commission.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 6–201.2 and 6–204(q)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 86 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Voluntary Placement for Former Children in Need of Assistance**

FOR the purpose of altering the jurisdiction of the juvenile court to include jurisdiction over a certain former child in need of assistance (CINA); establishing the venue for filing a certain voluntary placement petition; requiring the juvenile court to take certain actions in making a disposition on a voluntary placement petition for a former CINA; requiring the Social Services Administration of the Department of Human Resources to establish a program of out-of-home placement for certain former CINAs; requiring the Administration to adopt certain regulations; prohibiting a local department of social services from seeking legal custody of a former CINA under a voluntary placement agreement; authorizing a former CINA to remain in an out-of-home placement for more than a certain time period under certain circumstances; altering certain definitions; defining a certain term; making certain conforming changes; and generally relating to voluntary placement for certain former CINAs.

BY renumbering

Article – Family Law

Section 1–101(c) through (k), respectively

to be Section 1–101(d) through (l), respectively

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–801(bb), 3–804, 3–805(a), 3–811(a)(2), and 3–819.1

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Family Law

Section 1–101(b)

Annotated Code of Maryland

(2012 Replacement Volume)

BY adding to

Article – Family Law

Section 1–101(c)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–501(r) and 5–525(b)

Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 87 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Seat Belts and Child Safety Seats**

FOR the purpose of repealing an exception to the requirement that a child under a certain age riding in a vehicle be secured in a child safety seat or seat belt that applies in instances where all passenger securing locations are in use by other children; prohibiting a person who is at least a certain age from being a passenger in a rear seat of a motor vehicle unless the person is restrained by a seat belt; authorizing a police officer to enforce a certain provision of this Act only as a secondary offense; increasing the fines for certain offenses relating to the mandatory use of seat belts and child safety seats; making conforming changes; and generally relating to seat belts and child safety seats.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–412.2, 22–412.3, and 27–106  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**QUORUM CALL**

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

(See Roll Call No. 7 )

**ADJOURNMENT**

At 1:14 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 10, 2013.

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**Annapolis, Maryland**  
**Thursday, January 10, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:08 A.M.

Prayer by Reverend Robert P. Hahn Sr. Pastor, Chesapeake Church, guest of President Miller.

(See Exhibit A of Appendix III)

The Journal of January 9, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Conway J. and Stone be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 9)

**INTRODUCTION OF BILLS**

**Senate Bill 88 – Senator DeGrange**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Meade High School  
Concession Stand**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Education of Anne Arundel County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 89 – Senator Pipkin**



EMERGENCY BILL

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 90 – Senator Astle**

AN ACT concerning

**Natural Resources – Vessel Excise Tax – Maximum Tax**

FOR the purpose of limiting the amount of the vessel excise tax to a certain amount for each vessel; and generally relating to a limitation on the vessel excise tax payable for each vessel.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–716(c)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 91 – Senator Astle**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Anne Arundel County – Shiplap House**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2012 to repeal the requirement that the Board of Trustees of Historic Annapolis, Inc.

provide and expend a certain matching fund; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2012.

BY repealing and reenacting, with amendments,  
Chapter 444 of the Acts of the General Assembly of 2012  
Section 1(3) Item ZA03(J)

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

### **Senate Bill 92 – Senator Astle**

AN ACT concerning

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

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Annapolis for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 93 – Senators Astle and Pipkin**

AN ACT concerning

#### **Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact Study for a Third Span**

FOR the purpose of explicitly stating the power of the Maryland Transportation Authority to conduct or coordinate a study of the environmental impact of a proposed transportation facility; requiring the Maryland Transportation Authority, in collaboration with certain other agencies, to commence the process, on or before a certain date, to conduct and complete an Environmental Impact Study for a third crossing of the Chesapeake Bay; requiring that the Environmental Impact Study be for a span at a certain location; and generally relating to an Environmental Impact Study for a third span of the Chesapeake Bay.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–205  
Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 94 – Senators Kelley, Colburn, Currie, DeGrange, Forehand,  
Jacobs, Klausmeier, Mathias, Raskin, Robey, Stone, and Young**

AN ACT concerning

**Child Abuse and Neglect – Notice and Reporting Requirements, Disclosure,  
and Task Force**

FOR the purpose of expanding immunity from civil liability or criminal penalty to a person who provides or participates in providing notice of child abuse or neglect to the appropriate authorities; requiring the Office of the Chief Medical Examiner to send an autopsy report to certain officials if the office finds a death investigated by the office was caused by or related to child abuse or neglect; making it a misdemeanor, subject to a certain penalty, for a certain person to knowingly and willfully fail to file a certain report of abuse under certain circumstances; requiring certain entities that employ or contract with a certain person to have a certain policy relating to child abuse and neglect and to provide employees and contractors with certain information; providing that a report concerning child abuse or neglect may be disclosed on request to a certain president of an institution of higher education or the Chancellor of the University System of Maryland under certain circumstances; establishing the Task Force to Study Training for School Employees and Volunteers on the Prevention, Identification, and Reporting of Child Sexual Abuse; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and to certain committees of the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act; and generally relating to child abuse and neglect.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–620  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Criminal Law  
Section 3–602.2  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–704 and 5–708  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Family Law  
Section 5–705.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Human Services  
Section 1–202(a) and (c)(2)  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 1–202(c)(1)(ix) and (x)  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

BY adding to  
Article – Human Services  
Section 1–202(c)(1)(xi)  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

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

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 10)

### **ADJOURNMENT**

At 10:19 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 11, 2013.

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**Annapolis, Maryland**  
**Friday, January 11, 2013**  
**11:00 A.M. Session**

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The Senate met at 11:07 A.M.

Prayer by Reverend Jim Kirk, Retired Pastor of Harundale Presbyterian Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 10, 2013 was read and approved.

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 12)

**INTRODUCTION OF BILLS**

**Senate Bill 95 – Senator Ferguson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Chesapeake Shakespeare  
Company's Downtown Theatre**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of the Chesapeake Shakespeare Company for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 96 – Senator Ferguson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Baltimore Curriculum Project**

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

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

**Senate Bill 97 – Senator Ferguson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Veditz Center of Maryland**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$30,000, the proceeds to be used as a grant to the Board of Trustees of the Veditz Center of Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 98 – Senator Klausmeier**

AN ACT concerning

**Business Regulation – Other Tobacco Products – Wholesalers – License Fee  
Exception for Cigarette Subwholesalers**

FOR the purpose of exempting a person who is licensed under a certain provision of law to act as a cigarette subwholesaler from the requirement that an applicant for a license to act as an other tobacco products wholesaler pay a certain license fee; and generally relating to license fee requirements for other tobacco products wholesalers.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 16.5–203(d)

Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 99 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Little Sisters of the Poor – St. Martin’s Home**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Little Sisters of the Poor of Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 100 – Senator Kasemeyer**

AN ACT concerning

**Tax Overpayment – Interest on Refunds**

FOR the purpose of altering the day on which interest begins to accrue on certain taxpayer refunds of certain tax payments; allowing interest to accrue on certain taxpayer refunds based on certain errors of a claimant; repealing a prohibition on a tax collector paying interest on certain refunds; and generally relating to interest on certain tax refunds.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 13–603  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 101 – Senators Peters and Currie**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Prince George’s County  
– White Rose Foundation Service Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to provide that a certain grant for the White Rose Foundation Service Center may not terminate before a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2006.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item ZA01(CE)

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

**Senate Bill 102 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Holy Trinity Episcopal  
Day School Air-Supported Structure (Athletic & Arts Center)**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Vestry of Holy Trinity Parish for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 103 – Senators Peters, Astle, Brinkley, Brochin, Colburn, Currie,  
DeGrange, Dyson, Edwards, Ferguson, Garagiola, Getty, Glassman,  
Jacobs, Jennings, King, Kittleman, Klausmeier, Manno, Mathias,  
McFadden, Middleton, Montgomery, Muse, Pipkin, Pugh, Ramirez,  
Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and  
Zirkin**

AN ACT concerning

**Income Tax – Military Retirement Income**

FOR the purpose of altering a subtraction modification under the State income tax for certain military retirement income; providing for the application of this Act; providing for a delayed effective date; and generally relating to the State income taxation of certain retirement income.



BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–207(q)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 13)

### **ADJOURNMENT**

At 11:17 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 14, 2013.

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**Annapolis, Maryland**  
**Monday, January 14, 2013**  
**8:00 P.M. Session**

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The Senate met at 8:03 P.M.

Prayer by Reverend Doctor C. Anthony Hunt, Sr. Pastor Epworth United Methodist Church, guest of Senator Kelley.

(See Exhibit A of Appendix III)

The Journal of January 11, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Conway, Dyson, and Shank be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 19)

**INTRODUCTION OF BILLS**

**Senate Bill 104 – Senators Brochin and Zirkin**

AN ACT concerning

**Family Law – Grounds for Absolute Divorce – Time Requirements**

FOR the purpose of altering a certain ground for absolute divorce by reducing the amount of time required for the parties to have lived separate and apart without cohabitation; making a conforming change; and generally relating to grounds for absolute divorce.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–103(a) and (c)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 105 – Senators Brochin and Raskin**

AN ACT concerning

**Criminal Law – Sexual Contact with Minors – School Employees**

FOR the purpose of altering the definition of a “person in a position of authority” relating to prohibiting an individual from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances to remove a limitation to full-time employees; and generally relating to a sexual offense involving a person in a position of authority and a minor under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–307  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–308  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 106 – Senator McFadden**

AN ACT concerning

**Baltimore City – Charitable Gaming Events – For-Profit and Nonprofit Organizations**

FOR the purpose of authorizing in Baltimore City a for-profit organization to hold a charitable gaming event with a certain nonprofit organization under certain conditions; authorizing a charitable gaming event to include card games, dice games, and roulette; requiring that a for-profit organization and nonprofit organization be issued a permit before conducting a charitable event; requiring that a person who works as an operator of the charitable gaming event be named on the permit; requiring the Baltimore City Police Commissioner to take certain actions before issuing a permit; requiring the Commissioner to make certain permit applications a matter of public record; prohibiting an individual or group of individuals from receiving certain benefits; allowing permit holders to pay for certain goods and services; limiting the number of charitable gaming events that permit holders may conduct in a calendar year; requiring permit

holders to submit certain documents to the Commissioner and the Department of Finance; prohibiting permit holders from offering or awarding certain prizes; requiring the Commissioner to adopt certain regulations; making a violation of this Act a misdemeanor; providing a certain penalty; defining certain terms; and generally relating to charitable gaming events in Baltimore City.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–501(a) and (b) and 13–502  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Criminal Law  
Section 13–505.1  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 107 – Senator Simonaire**

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–108, 3–110, and 3–114  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Education

Section 3–2A–01 to be under the new subtitle “Subtitle 2A. Anne Arundel County”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 108 – Senator Simonaire**

AN ACT concerning

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

FOR the purpose of requiring that a question be placed on the ballot in Anne Arundel County at the November general election of 2014 to determine the sense of the voters of the County on the issue of changing the method of selecting members of the Anne Arundel County Board of Education; providing for the carrying out of the straw ballot; and generally relating to the holding of a straw ballot in Anne Arundel County.

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

**Senate Bill 109 – Senators Kelley, DeGrange, Forehand, Getty, Jacobs, Jones–Rodwell, Kasemeyer, Manno, Mathias, Middleton, Montgomery, Muse, Pinsky, Raskin, Reilly, Robey, Rosapepe, Shank, Stone, and Young**

AN ACT concerning

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

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

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 5–101(a)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Law  
Section 5–101(ff)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 5–304 and 5–402(d)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 110 – Senator Astle**

AN ACT concerning

#### **Creation of a State Debt – Anne Arundel County – William Paca House Restoration**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Trustees of Historic Annapolis, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 111 – Senators Brochin, Kittleman, and Pinsky**

AN ACT concerning

#### **Education – General Assembly Scholarships – Modification of Programs**

FOR the purpose of altering the Senatorial and Delegate Scholarship Programs to require that the money appropriated under the programs be awarded by the Office of Student Financial Assistance in the Maryland Higher Education Commission; requiring the Office to ensure that the awards are distributed in a certain manner and that certain student populations are served; requiring the Office to adopt certain guidelines; requiring that certain awards be apportioned among certain legislative districts; repealing certain provisions of law relating to administering a certain examination for Senatorial Scholarships and awarding Delegate Scholarships for part-time students; making certain stylistic changes; permitting certain recipients to continue to receive awards under

certain circumstances; requiring that certain appropriations and unexpended appropriations in certain fiscal years for Senatorial and Delegate Scholarships be transferred and distributed to the Office; and generally relating to modifying the Senatorial and Delegate Scholarship Programs.

BY repealing

Article – Education  
Section 18–502 and 18–504  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY renumbering

Article – Education  
Section 18–505, 18–506, and 18–507, respectively  
to be Section 18–504, 18–505, and 18–506, respectively  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education  
Section 18–114 and 18–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education  
Section 18–401 through 18–408, 18–501, and 18–503  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education  
Section 18–504, 18–505, and 18–506  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)  
(As enacted by Section 2 of this Act)

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

**Senate Bill 112 – Senator Miller**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Eagle Harbor Artesian Well Restoration**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$50,000, the proceeds to be used as a grant to the Mayor and Board of Town Commissioners for Eagle Harbor for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 113 – Senator Miller**

AN ACT concerning

#### **Creation of a State Debt – Calvert County – North Beach Pier Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of North Beach for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 114 – Senators Benson and Montgomery**

AN ACT concerning

#### **Health – Pregnant Women – Hepatitis B Testing**

FOR the purpose of requiring the individual attending a woman for pregnancy to submit to a medical laboratory a blood sample taken from the woman at the time the individual first examines the woman and, under certain circumstances, at the time of delivery; requiring the medical laboratory that receives the blood sample to perform a certain hepatitis B test; and generally relating to the testing of pregnant women for hepatitis B.

BY adding to

Article – Health – General

Section 18–310

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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



**Senate Bill 115 – Senator Benson**

AN ACT concerning

**County Boards of Education – School Budget, Audit, and Procurement  
Information – Web Site Publication**

FOR the purpose of requiring county boards of education to develop and operate a certain Web site that includes certain information relating to school budgets, audits, and procurement; specifying certain parameters of the Web site; defining certain terms; and generally relating to the development and operation of a searchable Web site by county boards of education.

BY adding to

Article – Education

Section 5–119

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 116 – Senator Benson**

AN ACT concerning

**Commercial Law – Cancellation of Sales of Motor Vehicles and Internet Sales**

FOR the purpose of requiring certain sellers to provide buyers of certain motor vehicles with a statement regarding the right of the buyer to cancel the sale and a description of how the buyer may return the motor vehicle under certain circumstances; requiring certain sellers to provide buyers of certain consumer goods or consumer services with a fully completed receipt or copy of a contract pertaining to an Internet sale of the consumer goods or consumer services; requiring certain sellers to provide certain buyers with a statement regarding the right of the buyer to cancel a certain Internet sale and a description of how the buyer may return certain consumer goods under certain circumstances; prohibiting certain sellers from including in certain contracts or receipts certain confessions of judgment or waivers; prohibiting certain sellers from misrepresenting certain buyers' right to cancel certain sales; prohibiting certain sellers from failing to honor certain notices of cancellation or to refund certain payments, return certain goods or property, or cancel and return certain negotiable instruments within a certain period of time; prohibiting certain sellers from negotiating, transferring, selling, or assigning any note or other evidence of indebtedness under certain circumstances; authorizing a buyer to cancel a sale of a motor vehicle or an Internet sale in a certain manner if a seller violates certain provisions of this Act; providing that violations of certain

provisions of this Act are unfair or deceptive trade practices within the meaning of the Maryland Consumer Protection Act and are subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to cancellation of sales of motor vehicles and sales made over the Internet.

BY adding to

Article – Commercial Law

Section 14–1324; and 14–4001 through 14–4004 to be under the new subtitle  
“Subtitle 40. Cancellation of Internet Sales Contracts”

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 117 – Senator Benson**

AN ACT concerning

#### **Crimes – Sale of Drug Paraphernalia to a Minor – Local Law Authorizing Business License Revocation for a Second or Subsequent Violation**

FOR the purpose of authorizing the governing body of a county or a municipal corporation to adopt a local law that authorizes the county or municipal corporation to revoke or not renew the business license of an establishment for the second or subsequent conviction of an employee of the establishment under certain circumstances; and generally relating to the sale of drug paraphernalia to a minor.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–619(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

### **THE COMMITTEE ON FINANCE REPORT #1**

Senator Middleton, Chair, for the Committee on Finance reported favorably:

### **Senate Bill 14 – Senator Middleton**

AN ACT concerning

#### **Utility Service Protection Program – Annual Report – Deadline**

Favorable report adopted.

FLOOR AMENDMENT

**SB0014/633421/1**

BY: Senator Klausmeier

AMENDMENT TO SENATE BILL 14

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Middleton” and substitute “Senators Middleton, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 44 Members present.

(See Roll Call No. 20)

**ADJOURNMENT**

At 8:22 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 15, 2013.

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**Annapolis, Maryland**  
**Tuesday, January 15, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:22 A.M.

Prayer by Imam Tarif Shraim, Muslim Chaplain, University of Maryland, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

The Journal of January 14, 2013 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 22)

**INTRODUCTION OF BILLS**

**Senate Bill 118 – Senator Simonaire**

AN ACT concerning

**State Government – Commemorative Day – Young Heroes Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Young Heroes Day; defining a certain term; and generally relating to Young Heroes Day.

BY adding to

Article – State Government

Section 13–411

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 119 – Senator Reilly**

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 7–207

Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 120 – Senator Kasemeyer**

AN ACT concerning

**Interest Rate on Tax Deficiencies and Refunds**

FOR the purpose of altering the calculation of the interest rate on tax deficiencies and refunds to 2 percentage points above a certain underpayment rate established under the Internal Revenue Code; providing that the interest rate may not be less than a certain rate for certain years; repealing a requirement that the Comptroller annually set the interest rate; providing for a delayed effective date; and generally relating to the annual interest rate on tax deficiencies and refunds.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 13–604

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**QUORUM CALL**

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

(See Roll Call No. 23)

**ADJOURNMENT**

At 10:30 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 16, 2013.

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**Annapolis, Maryland**  
**Wednesday, January 16, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:17 A.M.

Prayer by Rabbi Dan Sikowitz, Congregation Kol Ami of Frederick, guest of Senator Young.

(See Exhibit A of Appendix III)

The Journal of January 15, 2013 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 25)

**INTRODUCTION OF BILLS**

**Senate Bill 121 – Senator Klausmeier**

AN ACT concerning

**Health Care Decisions Act – Incapacity to Make Informed Decision –  
Certification by Psychologist**

FOR the purpose of altering the certification requirement regarding a patient's incapacity to make an informed decision regarding treatment to allow the second individual making the certification to be a psychologist, rather than a second physician; making conforming and stylistic changes; and generally relating to the certification of a patient's incapacity to make an informed decision regarding treatment.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–606  
Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 122 – Senator Peters**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2011 – Prince George’s County  
– Community Safety and Surveillance Systems**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to alter the grantees of a certain grant for community safety and surveillance systems; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2011.

BY repealing

Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA02(BK)

BY adding to

Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA02(BK–1), (BK–2), (BK–3), (BK–4), and (BK–5)

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

**Senate Bill 123 – Senator Peters**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Bowie Lions Club  
Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of the Bowie Lions Club Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 124 – Senators Peters, Astle, Brinkley, Brochin, Colburn, Currie, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, Kittleman, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Raskin, Simonaire, and Zirkin**



AN ACT concerning

**Income Tax Credit for Qualifying Employees – Sunset Repeal and Expansion**

FOR the purpose of repealing certain termination provisions and altering certain dates of applicability for certain tax credits allowed to employers that hire certain qualifying individuals with disabilities; allowing an individual or corporation to claim a credit against the State income tax for certain wages paid to certain qualified veterans; providing for the application of this Act; and generally relating to a credit against the State income tax for certain qualified individuals with disabilities and certain qualified veterans.

BY repealing and reenacting, with amendments,

Chapter 112 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, Chapter 252 of the Acts of the General Assembly of 2010, Chapter 558 of the Acts of the General Assembly of 2011, and Chapter 467 of the Acts of the General Assembly of 2012

Section 4 and 6

BY repealing and reenacting, with amendments,

Chapter 113 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, Chapter 252 of the Acts of the General Assembly of 2010, Chapter 558 of the Acts of the General Assembly of 2011, and Chapter 467 of the Acts of the General Assembly of 2012

Section 4 and 6

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–704.7

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 125 – The President and the Speaker (By Request – Administration)**

**Budget Bill**

**(Fiscal Year 2014)**

FOR the purpose of making the proposed appropriations contained in the State Budget for the fiscal year ending June 30, 2014, in accordance with Article III, Section 52 of the Maryland Constitution; and generally relating to appropriations and budgetary provisions made pursuant to that section.

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

**Senate Bill 126 – The President (By Request – Administration)**

AN ACT concerning

**Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2013, and the Maryland Consolidated Capital Bond Loans of 2006, 2007, 2008, 2009, 2010, 2011, and 2012**

FOR the purpose of authorizing the creation of a State Debt in the amount of One Billion, One Hundred Three Million, Six Thousand Dollars (\$1,103,006,000), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to certain requirements that certain matching funds be provided and expended by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt in certain years to be used for certain purposes; prohibiting the expenditure of certain funds until certain Memoranda of Understanding are developed; prohibiting the expenditure of certain funds until a certain university submits a certain report to the Department of Budget and Management; imposing a certain tax on all assessable property in the State; requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; providing that the proceeds of certain loans must be expended or encumbered by a certain date; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; providing for certain additional information to be detailed about each project in the capital program under certain circumstances; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; requiring

the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization acts; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item RB27(C)

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 488 of the Acts of the General Assembly of 2007, Chapter 485 of the Acts of the General Assembly of 2009, and Chapter 444 of the Acts of the General Assembly of 2012  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item DE02.01(D)

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item VD01(A)

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008, Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, and Chapter 444 of the Acts of the General Assembly of 2012  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008  
Section 1(3) Item QB08(A), QP00(A), and ZA00(R)

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item KA05(B)

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item MF05(A)

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008, as amended by  
Chapter 444 of the Acts of the General Assembly of 2012  
Section 1(3) Item DE02.01(H)

BY repealing and reenacting, with amendments,  
Chapter 336 of the Acts of the General Assembly of 2008, as amended by  
Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of  
the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the  
General Assembly of 2011, and Chapter 444 of the Acts of the General  
Assembly of 2012  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009  
Section 1(3) Item DE02.01(E), KA05(C), MF05(A), QG00(A), QP00(A) and (B),  
and ZA00(V)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item DH01(A)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 483 of the Acts of the General Assembly of 2010 and Chapter 444  
of the Acts of the General Assembly of 2012  
Section 1(3) Item RE01(B)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 396 of the Acts of the General Assembly of 2011 and Chapter 444  
of the Acts of the General Assembly of 2012  
Section 1(3) Item QB08.01(A)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 444 of the Acts of the General Assembly of 2012  
Section 1(3) Item RE01(C)

BY repealing and reenacting, with amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of  
the Acts of the General Assembly of 2011, and Chapter 444 of the Acts of  
the General Assembly 2012  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010, as amended by  
Chapter 396 of the Acts of the General Assembly of 2011 and Chapter 444  
of the Acts of the General Assembly of 2012  
Section 1(3) Item QP00(A)

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010, as amended by  
Chapter 444 of the Acts of the General Assembly of 2012  
Section 1(3) Item VE01(A)

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010, as amended by  
Chapter 396 of the Acts of the General Assembly of 2011 and Chapter 444  
of the Acts of the General Assembly of 2012  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item RB29(A)

BY repealing and reenacting, with amendments,  
Chapter 396 of the Acts of the General Assembly of 2011, as amended by  
Chapter 444 of the Acts of the General Assembly of 2012  
Section 1(1)

BY repealing and reenacting, with amendments,  
Chapter 444 of the Acts of the General Assembly of 2012  
Section 1(3) Item RB34(A), VE01(A), and ZA00(C) and (P)

BY repealing  
Chapter 444 of the Acts of the General Assembly of 2012  
Section 12, 13, and 14

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

**Senate Bill 127 – The President (By Request – Administration)**

AN ACT concerning

**Budget Reconciliation and Financing Act of 2013**

FOR the purpose of altering the frequency with which certain payments from a certain special fund are required to be paid; requiring the reduction of certain grants and payments under certain circumstances; repealing certain requirements for a certain notice relating to abandoned property to be published in certain

newspapers; requiring the Comptroller to maintain, or cause to be maintained, an abandoned property database containing the names and last known addresses, if any, of persons listed in certain reports; requiring the Comptroller to maintain, or cause to be maintained, a certain Internet Web site relating to the abandoned property database; requiring the Comptroller to publish certain notices of a certain Internet Web site; altering certain circumstances under which a county board of education is required to reimburse the Department of Juvenile Services; altering or repealing certain required appropriations; altering the distribution of certain revenue; providing for the transfer of certain funds for certain purposes; repealing certain credits allowed against certain taxes for the purchase of Maryland–mined coal; setting certain limits in increases in payments to certain providers for a certain fiscal year; requiring the Department of Health and Mental Hygiene to achieve certain savings from certain rates; requiring the Health Services Cost Review Commission to conduct a certain study in a certain manner; requiring the Medicaid Program to provide certain information under certain circumstances; providing certain criteria for a certain study; requiring that a certain report be provided to the Governor and General Assembly on or before a certain date; requiring that the Commission take certain actions to provide certain General Fund savings; defining certain terms; making the provisions of this Act severable; and generally relating to the financing of State and local government.

BY repealing and reenacting, with amendments,  
Article – Business Regulation  
Section 11–404(a) and 11–404.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Commercial Law  
Section 17–311(a), (b), and (c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Commercial Law  
Section 17–311(a), (b), and (c)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 22–306.1(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 5–903(a)(2)(v)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–202(a) and 2–606(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Tax – General  
Section 2–606(g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 13–209(g)(1)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Tax – Property  
Section 13–209(h)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Tax – General  
Section 8–406(b) and 10–704.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 128 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees**

FOR the purpose of altering the hours of sale for a Class B Cafe licensee in Harford County; and generally relating to the sale of alcoholic beverages in Harford County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–513  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 129 – Senators Glassman and Jacobs**

EMERGENCY BILL

AN ACT concerning

**Harford County – Alcoholic Beverages – Class H–CC (Corporate Club/Conference Center) License**

FOR the purpose of establishing a Class H–CC (corporate club/conference center) license in Harford County; authorizing the Liquor Control Board to issue the license for an establishment that meets certain requirements; requiring that a corporate dining room in a licensed establishment meets certain requirements; authorizing a holder of the license to engage in certain activities; specifying a license fee; providing that not more than a certain number of licenses may be in effect at one time; making this Act an emergency measure; and generally relating to alcoholic beverages in Harford County.

BY adding to

Article 2B – Alcoholic Beverages  
Section 6–201(n)(6)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 130 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Charitable Gaming**

FOR the purpose of creating in Harford County a permit to be issued by the Sheriff of Harford County that authorizes certain nonprofit organizations to conduct a gaming contest in Harford County; specifying certain requirements that organizations must meet to be issued a permit; specifying a certain maximum number of gaming contests an organization may hold in a year and the location



and hours for conducting a gaming contest; authorizing certain games to be conducted at a gaming contest under certain circumstances; specifying the maximum bet a single individual may place on a game; specifying that alcoholic beverages may be served or sold under certain conditions; prohibiting profits or proceeds from being paid to certain persons under certain circumstances; authorizing certain organizations to use certain proceeds for certain purposes after certain costs are deducted; requiring the holder of a permit to meet certain financial reporting requirements; authorizing the sheriff to refuse to issue a permit under certain conditions; requiring the sheriff to adopt certain regulations; providing a certain penalty; defining a certain term; and generally relating to gaming contests in Harford County.

BY renumbering

Article – Criminal Law

Section 13–1512

to be Section 13–1513

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Law

Section 13–1512

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 131 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

#### **Harford County Liquor Control Board – Reserve Account**

FOR the purpose of establishing a Reserve Account of the Harford County Liquor Control Board as a special, nonlapsing account; specifying the purpose of the Reserve Account; requiring a designee of the Board to administer the Reserve Account; requiring the Board to hold the Reserve Account separately and account for the Reserve Account; specifying the contents of the Reserve Account; specifying a certain maximum amount that is payable annually into the Reserve Account; specifying the circumstances under which expenditures from the Reserve Account may occur; stating a certain maximum amount that the Reserve Account may hold at any time; requiring that fines imposed or recognizances forfeited for certain violations be payable to the Board; defining certain terms; making certain stylistic changes; clarifying language; and generally relating to the Reserve Account of the Harford County Liquor Control Board.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10–204(n) and 16–502(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 132 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Cecil–Harford Highway Impact Revenue Account**

FOR the purpose of creating a Cecil–Harford Highway Impact Revenue Account in the Transportation Authority Fund; specifying the purpose of the Account; establishing the composition of the Account; providing for the use of funds in the Account; providing for the transfer of certain funds in the Transportation Authority Fund to the Account under certain circumstances; and generally relating to the Cecil–Harford Highway Impact Revenue Account.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 4–313  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 133 – Senator Kelley**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Easter Seals Adult Day Services Center Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Easter Seals of Greater Washington–Baltimore Region, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 134 – Senator Kelley**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Diversified Housing Development**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$120,000, the proceeds to be used as a grant to the Board of Directors of Diversified Housing Development, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 135 – Senator Kelley**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Youth in Transition School**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of the National Center on Institutions and Alternatives, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 136 – Senator Frosh**

AN ACT concerning

**Solar Energy Grant Program – Cooperative Housing Corporations, Condominiums, and Homeowners Associations**

FOR the purpose of authorizing cooperative housing corporations, councils of unit owners of condominiums, and homeowners associations to receive certain grants

under the Solar Energy Grant Program; and generally relating to eligibility for grants under the Solar Energy Grant Program.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–2007(a)(1) and (4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–2007(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 137 – Senator Manno**

AN ACT concerning

#### **State Government – Death of Account Holder – Distribution of Account Balance**

FOR the purpose of requiring a unit of State government, under certain circumstances, to refund any account balance to a surviving spouse, transfer the account balance to an existing account in the surviving spouse's name, or transfer the account to the name of the surviving spouse; requiring the unit to distribute an account balance as required under a certain provision of law within a certain time period; authorizing the unit to require certain proof before distributing an account balance as required by a certain provision of law; defining a certain term; and generally relating to the distribution by a unit of State government of an account holder's account balance on the death of the account holder.

BY adding to  
Article – State Government  
Section 1–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 138 – Senators Manno and Mathias**

AN ACT concerning

**Build Maryland Tax Credit Act**

FOR the purpose of allowing individuals and corporations to claim a credit against the State income tax for certain commercial real estate investment expenses; authorizing the Department of Business and Economic Development to issue a certain amount of credit certificates each fiscal year; providing for the total amount of credit certificates that may be issued and the total amount of credits that may be claimed; allowing any excess credit to be claimed as a refund; requiring the Comptroller at the end of each fiscal year to transfer a certain amount from a certain reserve fund to the General Fund; establishing the Infrastructure Investment Income Tax Credit Reserve Fund as a special, nonlapsing fund; specifying the purpose of the Reserve Fund; requiring the Secretary of Business and Economic Development to administer the Reserve Fund; requiring the State Treasurer to hold the Reserve Fund and the Comptroller to account for the Reserve Fund; specifying the contents of the Reserve Fund; specifying the purpose for which the Reserve Fund may be used; providing for the investment of money in and expenditures from the Reserve Fund; requiring the Governor to appropriate at least certain amounts to the Reserve Fund for certain fiscal years; requiring the Secretary, in consultation with the Comptroller, to issue certain regulations; requiring certain Maryland income tax addition modifications under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to allowing a credit against the State income tax for certain commercial real estate investment expenses.

BY adding to

Article – Tax – General  
Section 10–204(l) and 10–733  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–305(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 139 – Senator Conway**

AN ACT concerning

**Health Care Practitioners – Prescription Drug or Device Dispensing –  
Medical Facilities or Clinics That Specialize in Treatment Reimbursable  
Through Workers’ Compensation Insurance**

FOR the purpose of repealing a certain exception from the requirement that an individual be licensed by the Board of Pharmacy before the individual may practice pharmacy in the State; requiring a dentist, physician, or podiatrist who dispenses a prescription drug or device in the course of treating a patient at a medical facility or clinic that specializes in the treatment of medical cases reimbursable through workers' compensation insurance to obtain a dispensing permit and meet certain other requirements; and generally relating to dispensing of prescription drugs or devices by dentists, physicians, or podiatrists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–102(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

#### **Senate Bill 140 – Senator Conway**

AN ACT concerning

#### **State Finance and Procurement – Retention of Percentage of Contract – Security**

FOR the purpose of altering a certain percentage that may be retained by a public body under a certain contract under certain circumstances; repealing an authorization for a public body to retain a certain percentage of a certain contract under certain circumstances; making stylistic changes; and generally relating to the retention of a percentage of contracts as security.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–110(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

#### **Senate Bill 141 – The President (By Request – Administration)**

AN ACT concerning

#### **Creation of a State Debt – Qualified Zone Academy Bonds**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$4,549,000, the proceeds to be used as grants to the Interagency Committee on School Construction and the Maryland State Department of Education for certain development or improvement purposes; providing for disbursement of the loan proceeds and the further grant of funds to eligible school systems for certain purposes, subject to a requirement that the grantees document the provision of a required matching fund; providing that, after a certain date, any bonds authorized under this Act shall be canceled and be of no further effect; providing that the proceeds of the loan under this Act shall be expended not later than a certain number of years after the issuance of the bonds authorized under this Act; authorizing the Board of Public Works to sell certain bonds at certain sales in proportion to the documented matching fund; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### MOTION

Senator Kittleman moved, duly seconded, to amend **Rule 35**.

Senate Rule 35. Scheduling of Committee Meetings.

- (a) A committee may not meet while the Senate is in session without special leave of the President.
- (b) The President may designate days or periods of hours during which special and select committees may meet, and during these times the standing committees may not meet.
- (c) The Department of Legislative Services shall compile a list of the meetings scheduled by the committees and distribute it periodically.
- (d) All committee hearings **AND VOTING SESSIONS** shall be audio recorded unless otherwise directed by the committee chairman.

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

### SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Rule 116. Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

- (1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and
- (2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

Senate Rule 116 was read only.

Senator Klausmeier moved, duly seconded, to make the **Senate Rule 116** a Special Order for January 23, 2013.

The motion was adopted.

### QUORUM CALL

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

(See Roll Call No. 26)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #1

Senate Bill 14 – ~~Senator Middleton~~ Senators Middleton, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Pugh, and Ramirez

AN ACT concerning

#### Utility Service Protection Program – Annual Report – Deadline

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

Affirmative – 46    Negative – 0    (See Roll Call No. 27)

The Bill was then sent to the House of Delegates.

### QUORUM CALL



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

(See Roll Call No. 28)

**ADJOURNMENT**

At 10:33 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 17, 2013.

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**Annapolis, Maryland**  
**Thursday, January 17, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:16 A.M.

Prayer by Reverend David Michaud, St. Andrew's Episcopal Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

The Journal of January 16, 2013 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 31)

**INTRODUCTION OF BILLS**

**Senate Bill 142 – Senators Pugh, Benson, Forehand, Garagiola, Glassman,  
Kelley, Mathias, McFadden, Montgomery, Muse, and Ramirez**

AN ACT concerning

**Public Utilities – Telephone Service – Charges for Directory Assistance**

FOR the purpose of specifying that certain residential customers are entitled to only a certain number of directory assistance calls each month without charge; requiring the Public Service Commission to approve other charges for directory assistance, subject to a certain exception; repealing a provision that authorizes the Commission to establish additional exemptions from directory assistance charges; and generally relating to telephone service and directory assistance.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 8–202  
Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 143 – Senators Pugh, Benson, Ferguson, Forehand, King, Madaleno, Manno, McFadden, Middleton, Montgomery, Muse, and Ramirez**

AN ACT concerning

**Public Schools – Emergency Management Plans – Evaluations**

FOR the purpose of requiring each county board of education to evaluate the effectiveness of the emergency management plan in each public school under the jurisdiction of the county board on or before a certain date; requiring each county board of education to report to the State Department of Education on a certain evaluation on or before a certain date; requiring the Department to make a certain report to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the evaluation of emergency management plans in the public schools in the State.

BY adding to

Article – Education

Section 7–435

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 144 – Senator Kasemeyer**

AN ACT concerning

**Property Tax Credit – Historically and Architecturally Valuable Property**

FOR the purpose of altering the amount of certain restoration and preservation expenses for certain historic structures that the governing body of a county or municipal corporation may authorize to be claimed by certain taxpayers as a property tax credit against the county or municipal property tax; providing for the application of this Act; and generally relating to a property tax credit for certain restoration and preservation expenses.

BY repealing and reenacting, with amendments,

Article – Tax – Property

Section 9–204(b)

Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 145 – Senators Brochin, Klausmeier, Muse, and Pugh**

AN ACT concerning

**Baltimore City and Baltimore County – Unpaid Water and Sanitary Charges –  
Collection**

FOR the purpose of requiring the tax collectors in Baltimore City and Baltimore County to withhold a residential property from a tax sale when the lien on the property arises solely from certain unpaid water, sewer, and sanitary system charges, fees, or assessments and the total amount of the lien is less than a certain amount; repealing the prohibition against the Mayor and City Council of Baltimore City from selling a property to enforce a certain lien for unpaid charges for water and sewer service under certain circumstances; and generally relating to the collection of unpaid charges for water and sewer service by the sanitary commissions and governing bodies of Baltimore City and Baltimore County.

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 14–811  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing

Article – Tax – Property  
Section 14–849.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Environment  
Section 9–658(a), (d), (e), and (f), 9–662(a) through (l), and 9–724(a) and (b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment  
Section 9–658(g), 9–662(m), 9–724(c), and 9–726  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 146 – Senators Colburn and Pipkin (By Request – Caroline County Commissioners and Dorchester County Council)**

AN ACT concerning

**Chesapeake College – Board of Trustees – Appointment of Members**

FOR the purpose of requiring the Governor to appoint the members of the Board of Trustees of Chesapeake College from a list of at least a certain number of qualified individuals submitted to the Governor by each county that supports Chesapeake College; and generally relating to the appointment of the members of the Board of Trustees of Chesapeake College.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 16–406  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 147 – Senators Colburn and Pipkin (By Request – Caroline County Commissioners and Dorchester County Council)**

AN ACT concerning

**Chesapeake College – Authorization of Debt for Capital Projects – Simple Majority Plus One Requirement**

FOR the purpose of altering the budget approval process for Chesapeake College to require that certain capital items or programs that would require certain debt service payments be approved by a simple majority plus one of the member counties that support the college; providing that certain capital items or programs that are not approved by a simple majority plus one are deleted from the proposed budget; and generally relating to the approval of certain capital items or programs in the Chesapeake College budget.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 16–301(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 148 – Senators Colburn and Pipkin**

AN ACT concerning

**Caroline County – Alcoholic Beverages – Micro–Brewery Licenses**

FOR the purpose of adding Caroline County to the list of counties in which the Comptroller may issue a Class 7 micro–brewery (on– and off–sale) license; adding Caroline County to the list of counties in which a Class 7 micro–brewery licensee may sell at retail beer brewed under the license to customers for consumption off the licensed premises in refillable containers under certain conditions; and generally relating to alcoholic beverages in Caroline County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–208  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 149 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Micro–Breweries**

FOR the purpose of authorizing the Comptroller to issue a Class 7 micro–brewery license to a holder of a Class D beer license in Dorchester County; providing for the hours and days for consumer sales under the Class 7 micro–brewery license; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 2–208(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–208(b) and (f)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 150 – Senator Colburn**

AN ACT concerning

**Dorchester County – Alcoholic Beverages – Refillable Containers**

FOR the purpose of creating in Dorchester County a refillable container license; authorizing the Board of License Commissioners to issue the license to holders of certain alcoholic beverages licenses; specifying that a holder of the refillable container license may sell draft beer for consumption off the licensed premises in a certain refillable container; prohibiting a holder of a refillable container license to display or provide shelving for beer for off-premises consumption; specifying that a container to be used as a refillable container meet certain requirements; requiring that an applicant for a refillable container license meet certain requirements and pay a certain annual license fee; requiring that applicants for a refillable container license meet certain advertising, posting of notice, and public hearing requirements; specifying the term of a refillable container license; specifying the hours of sale for a refillable container license; authorizing a holder of a refillable container license to refill only a container that was branded by the license holder; authorizing the Board to adopt certain regulations; defining a certain term; and generally relating to alcoholic beverages in Dorchester County.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–210

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 151 – Senator Colburn****EMERGENCY BILL**

AN ACT concerning

**Hospitals – Outpatient Services – Off-Site Facility – Rate Regulation**

FOR the purpose of altering the hospital outpatient services for which the Maryland Medical Assistance Program must pay according to certain rates, under certain circumstances; altering the date by which a hospital must notify the Health Services Cost Review Commission that the hospital would like certain services to be subject to certain provisions of law; altering the hospital outpatient services for which a hospital may elect to be subject to certain provisions of law;

requiring the University of Maryland Medical System to track utilization of certain services and submit certain reports to certain legislative committees; making certain clarifying and stylistic changes; making a certain technical change; making this Act an emergency measure; and generally relating to rates for hospital outpatient services at an off-site facility.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–105(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 670 of the Acts of the General Assembly of 1999  
Section 2

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

### **Senate Bill 152 – Senator Colburn**

AN ACT concerning

#### **State Government – Commemorative Days – Youth Political Awareness Day**

FOR the purpose of requiring the Governor annually to proclaim a certain day as Youth Political Awareness Day; requiring that the proclamation urge certain organizations to observe Youth Political Awareness Day properly; and generally relating to Youth Political Awareness Day.

BY adding to  
Article – State Government  
Section 13–411  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 153 – Senator Currie**

AN ACT concerning

#### **Higher Education – Academic Credit for Military Education, Training, and Experience**

FOR the purpose of requiring public institutions of higher education to adopt policies for the purpose of awarding academic credit to a student for military education,



training, and experience received while an active duty member of the uniformed services of the United States; requiring the Maryland Higher Education Commission to develop guidelines for public institutions of higher education to award academic credit to certain students for military education, training, and experience; requiring public institutions of higher education to utilize certain guidelines to adopt policies for the awarding of certain academic credit; requiring public institutions of higher education to award academic credit to certain students for military education, training, and experience beginning with a certain academic year; requiring the Commission to report to certain committees of the General Assembly on or before a certain date regarding the development of certain guidelines; requiring each public institution of higher education to report to certain committees of the General Assembly on or before a certain date regarding the adoption of policies for the awarding of academic credit to certain students for military education, training, and experience; defining certain terms; and generally relating to the award of academic credit for military education, training, and experience.

BY adding to

Article – Education

Section 15–113

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 154 – Senator Mathias**

AN ACT concerning

#### **Somerset County – County Treasurer – Abolishment and Transfer of Functions to the County Supervisor of Tax Collection**

FOR the purpose of abolishing the elected position of County Treasurer of Somerset County; transferring the duties and functions of the office of County Treasurer to the County Supervisor of Tax Collection, who shall work under the direction of the County Finance Director; repealing provisions related to the appointment and salary of the deputy treasurer of Somerset County; providing that the Supervisor of Tax Collection is subject to dismissal from office by the County Commissioners of Somerset County under certain circumstances and discipline or dismissal for a violation of certain rules and regulations; repealing provisions related to the removal of the County Treasurer; requiring the County Commissioners to provide an office for the Supervisor of Tax Collection to be open during certain hours on certain days of the week; requiring the Supervisor of Tax Collection to execute certain bonds for certain purposes to be paid for by the County Commissioners; providing for the appointment of Supervisors of Tax Collection in the event that a Supervisor of Tax Collection fails to execute a

certain bond on or before a certain day; repealing provisions relating to a vacancy in the office of County Treasurer; repealing certain provisions relating to the documents of the County Treasurer's office; repealing provisions relating to the successor of the County Treasurer; providing that this Act does not apply to the salary or compensation of the incumbent County Treasurer; and generally relating to the abolishment of the elected position of County Treasurer of Somerset County and the transfer of the duties and functions of the office of County Treasurer to the County Supervisor of Tax Collection.

BY repealing

The Public Local Laws of Somerset County  
Section 7-101 through 7-103, 7-108, 7-111, and 7-113  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

BY adding to

The Public Local Laws of Somerset County  
Section 7-101 and 7-102  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

BY repealing and reenacting, with amendments,

The Public Local Laws of Somerset County  
Section 7-104 through 7-107, 7-109, 7-110, 7-112, 7-114 through  
7-118, 7-202 through 7-205, 7-302, and 9-103  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages  
Section 10-202(p)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article 25 – County Commissioners  
Section 51(r)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 155 – Senator Mathias**

AN ACT concerning

**Somerset County – Sale of Small Boat Harbor Dock**

FOR the purpose of authorizing the County Commissioners of Somerset County to sell the Small Boat Harbor Dock to the City of Crisfield at private sale under certain terms; requiring the Small Boat Harbor Dock to revert to the County Commissioners under certain circumstances; exempting the sale of the Small Boat Harbor Dock from certain requirements; making a technical change; and generally relating to the sale of county property by the County Commissioners of Somerset County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Somerset County  
Section 2-414  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)  
(As enacted by Chapters 544 and 545 of the Acts of the General Assembly of 2011)

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

**Senate Bill 156 – Senators Brochin, Frosh, and Raskin**

AN ACT concerning

**Courts – Service of Process – Increase in Sheriff’s Fees – Distribution to Rental Allowance Program Fund**

FOR the purpose of increasing certain fees for service of process of certain papers by a sheriff; requiring that a certain amount of the fees be distributed to a certain fund established for the Rental Allowance Program of the Department of Housing and Community Development; establishing the Rental Allowance Program Fund; providing for the purpose of the Fund; requiring the Department to administer the Fund; specifying that the State Treasurer shall hold the Fund separately and the State Comptroller shall account for the Fund; specifying that the Fund is a special, nonlapsing fund; providing for the composition of the Fund; specifying that certain earnings shall be paid into the Fund; specifying that certain proceeds shall be invested and reinvested in a certain manner; providing that the money in the Fund may be used only for certain purposes; adding the Fund to a certain list of funds the interest earnings of which are exempt from accruing to the General Fund of the State; defining a certain term; and generally relating to the Rental Allowance Program Fund in the Department of Housing and Community Development.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7-402  
Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Housing and Community Development  
Section 4–1401  
Annotated Code of Maryland  
(2006 Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Housing and Community Development  
Section 4–1403  
Annotated Code of Maryland  
(2006 Volume and 2012 Supplement)

BY adding to  
Article – Housing and Community Development  
Section 4–1407  
Annotated Code of Maryland  
(2006 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)69. and 70.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)71.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 157 – Senators Conway, Ferguson, Jones–Rodwell, McFadden, and Pugh**

AN ACT concerning

**Baltimore City – Fees and Penalties for Unpaid Water and Sewer Usage Charges for Residential Customers**

FOR the purpose of prohibiting the Mayor and City Council of Baltimore City from imposing on a residential customer certain fees or penalties for unpaid water or sewer usage charges that exceed a certain amount per year; and generally

relating to fees and penalties for unpaid water and sewer usage charges in Baltimore City.

BY repealing and reenacting, with amendments,  
The Charter of Baltimore City  
Article II – General Powers  
Section (45)  
(2007 Replacement Volume, as amended)

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

**Senate Bill 158 – Senators Conway, Ferguson, Gladden, Jones–Rodwell, McFadden, and Pugh**

EMERGENCY BILL

AN ACT concerning

**Homestead Tax Credit – Eligibility Verification and Application – Extension**

FOR the purpose of altering the date by which the homestead property tax credit may not be authorized or granted unless a certain application is filed with the State Department of Assessments and Taxation; making this Act an emergency measure; and generally relating to the homestead property tax credit.

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 9–105(d)(1)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–105(d)(6)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 159 – Senator Middleton**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2007 – Charles County –  
Mattawoman Creek Art Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2007 to alter the authorized uses of a certain grant for the Mattawoman Creek Art Center; providing that the grant may not terminate before a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2007.

BY repealing and reenacting, with amendments,  
Chapter 488 of the Acts of the General Assembly of 2007  
Section 1(3) Item ZA02(AL)

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

**Senate Bill 160 – Senators Frosh, Brochin, Gladden, Raskin, and Stone**

**EMERGENCY BILL**

AN ACT concerning

**Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable  
Presumption**

FOR the purpose of establishing that certain evidence creates a certain rebuttable presumption in an action against an owner of a dog for damages for personal injury or death caused by the dog; establishing that certain common law is retained as to certain owners of real property and certain other persons; providing for the construction and application of this Act; stating the intent of the General Assembly; making this Act an emergency measure; and generally relating to civil liability for personal injury or death caused by a dog.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 3–1901 to be under the new subtitle “Subtitle 19. Personal Injury or  
Death Caused by Dog”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 161 – Senator Kelley**

AN ACT concerning

**Real Property – Common Ownership Communities – Foreclosure of Liens**

FOR the purpose of authorizing the governing body of a common ownership community to foreclose on a lien against a unit owner, member, or lot owner only if the damages secured by the lien consist solely of certain delinquent

assessments under certain circumstances; defining certain terms; and generally relating to the foreclosure of liens by the governing body of a common ownership community.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 14–204  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 162 – Senators Kelley and Miller**

AN ACT concerning

#### **Condominiums and Homeowners Associations – Transition of Control – Termination of Contracts**

FOR the purpose of authorizing, under certain circumstances, the board of directors of a condominium to terminate certain contracts within a certain period of time after the board of directors is elected, and the governing body of a homeowners association to terminate certain contracts within a certain period of time after the governing body is elected; repealing provisions of law that allowed, under certain circumstances, the board of directors of a condominium to terminate a contract entered into by the officers or the board, and the governing body of a homeowners association to terminate a contract entered into by the governing body; and generally relating to termination of contracts by condominiums and homeowners associations.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–109(c)(16)(v) and 11B–106.1(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 163 – Senator Pipkin**

AN ACT concerning

#### **Commercial Fishing and Seafood Operations – Nuisance Actions – Exemption**

FOR the purpose of expanding the application of certain provisions of law relating to the protection of agricultural operations from certain actions under certain circumstances to apply to certain commercial fishing and seafood operations;

exempting certain commercial fishing and seafood operations from nuisance lawsuits; authorizing an appeal of a certain decision on a nuisance complaint against a commercial fishing or seafood operation to a circuit court in a certain manner; defining a certain term; altering the definition of a certain term; and generally relating to nuisance actions against commercial fishing or seafood operations.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–403  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 164 – Senator Pipkin**

AN ACT concerning

#### **Queen Anne’s County – Property Tax Credit – Commercial Investment and Economic Development**

FOR the purpose of altering the minimum number of new employees that a certain business must employ in order to qualify for a certain property tax credit against the Queen Anne’s County property tax imposed on certain property; and generally relating to county property tax credits for certain businesses in Queen Anne’s County.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–319(d)(1)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 165 – Senators Pugh, Benson, Ferguson, Forehand, Jones–Rodwell, and Muse**

AN ACT concerning



**Adoption – Access to Birth and Adoption Records and Search, Contact, and Reunion Services**

FOR the purpose of making certain provisions of law authorizing access to certain birth and adoption records by certain adoptees and biological parents applicable to adoptions in which a juvenile court entered an order for adoption before a certain date; repealing provisions of law limiting, under certain circumstances, access to certain information in certain birth and adoption records by certain adoptees and biological parents for certain adoptions in which a juvenile court entered an order for adoption on or after a certain date, except under certain circumstances; repealing the right of certain adoptees and biological parents to file a disclosure veto barring the disclosure of certain information in certain birth or adoption records; altering the age at which an adoptee or a biological parent may apply to the Secretary of Health and Mental Hygiene for a copy of certain birth or adoption records; authorizing certain adoptees and biological parents who filed a disclosure veto before a certain date to cancel the disclosure veto; requiring the Secretary to redact from a copy of certain birth and adoption records information concerning certain individuals who filed certain disclosure vetoes before a certain date; requiring the Secretary to collect certain data and make certain reports; altering the age at which certain individuals may apply to the Director of the Social Services Administration to receive adoption search, contact, and reunion services; altering the age of certain individuals who a confidential intermediary is authorized to attempt to contact under certain circumstances; making certain conforming changes; altering a certain definition; and generally relating to birth and adoption records and adoption search, contact, and reunion services.

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–321(a)(3), 5–339(a)(3), 5–351(a), 5–359, 5–3A–19(a), 5–3A–35(c),  
5–3A–42, 5–3B–21(a), 5–3B–29, 5–4B–01, 5–4B–02(a), and 5–4B–11

Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to

Article – Health – General

Section 4–219(d)

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 166 – Senator Conway**

AN ACT concerning

**Dentists, Physicians, and Podiatrists – Dispensing Prescription Drugs –  
Inspection by Division of Drug Control**

FOR the purpose of altering the requirement that the Division of Drug Control enter and inspect the office of a dentist, physician, or podiatrist who holds a certain permit to dispense prescription drugs to at least annually during the duration of the permit; and generally relating to inspection of the office of a dentist, physician, or podiatrist who holds a permit to dispense prescription drugs.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–102.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 267 of the Acts of the General Assembly of 2012)

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

**Senate Bill 167 – Senator Kelley**

AN ACT concerning

**Residential Condominiums – Governing Documents – Claims Provisions**

FOR the purpose of making unenforceable a provision of a declaration, bylaw, contract for sale of a unit, or other instrument made by a developer in accordance with certain provisions of law that purports to shorten the statute of limitations applicable to certain claims, purports to waive the application of a certain rule or other accrual date applicable to certain claims, operates to prevent a unit owner or the council of unit owners from asserting a certain claim in a certain manner within the applicable statute of limitations, or requires a unit owner or the council of unit owners to assert a certain claim within a certain period of time under certain circumstances; making unenforceable a provision of a declaration, bylaw, contract for sale of a unit, or other instrument made by a developer in accordance with certain provisions of law that requires a certain vote of unit owners as a precondition to the institution or maintenance of certain proceedings unless the council of unit owners adopts the provision under certain circumstances; providing for the applicability of this Act; and generally relating to claims provisions in the governing documents of a residential condominium.

BY adding to

Article – Real Property

Section 11–134.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 168 – Senator Simonaire**

AN ACT concerning

**Estates and Trusts – Guardianship Accounts – Form and Limits**

FOR the purpose of authorizing a guardian of the property of a minor in a certain proceeding to petition an orphans' court to deposit certain cash not exceeding a certain amount into a single account; authorizing a deposit under this Act to be made into a certain type of account; and generally relating to guardianship accounts.

BY adding to

Article – Estates and Trusts

Section 13–209.1

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 169 – Senators Middleton and Raskin**

AN ACT concerning

**Criminal Procedure – Reports to Crimesolvers/Crimestoppers Organization –  
Inadmissibility and Confidentiality**

FOR the purpose of establishing that evidence of a communication or information contained in the communication between an individual reporting alleged criminal activity to a certain Crimesolvers/Crimestoppers organization and the individual who accepts the report on behalf of the organization is not admissible in a court proceeding; providing that certain records of a Crimesolvers/Crimestoppers organization may not be compelled to be produced before a court or other tribunal except on a certain motion; authorizing a court to subpoena certain records or a certain report under certain circumstances; requiring a court to conduct a certain inspection of certain records in a certain manner to make a certain determination; requiring the court, on making a certain determination, to present evidence to a certain movant in a certain manner; requiring the court to execute a certain affidavit under certain circumstances; requiring the court to return certain materials in a certain manner; requiring that the returned materials be stored for a certain period of time; establishing that a law enforcement agency that receives information concerning alleged criminal activity from a certain Crimesolvers/Crimestoppers organization may not disclose the identity of an individual providing

information about the criminal activity under a promise of anonymity; prohibiting a person who receives a certain report from intentionally and knowingly and without certain consent disclosing the report or providing certain other information to a person not employed by a law enforcement agency; establishing penalties for a violation of this Act; defining a certain term; and generally relating to crime reporting.

BY adding to

Article – Criminal Procedure

Section 11–1101 through 11–1103 to be under the new subtitle “Subtitle 11.  
Anonymous Crime Reporting”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 170 – Senator Forehand**

AN ACT concerning

#### **Estates and Trusts – Modified Administration and Inheritance Tax**

FOR the purpose of altering the circumstances under which a personal representative of an estate may file for an election for modified administration; providing that, if a personal representative discovers certain property after the time for filing a certain verified final report, the representative shall file a certain report and make a final distribution of the property within certain time periods; providing that a certain application to prepay inheritance tax for a subsequent interest may be filed with the register of the county where a certain information report was filed; making conforming changes; providing for the application of this Act; and generally relating to the modified administration of trusts.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 5–702, 5–704, and 5–706

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 7–219

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 171 – Senator Forehand**

AN ACT concerning

**Election Law – Special Elections – Voting by Mail**

FOR the purpose of authorizing the Governor, a county council, or a board of county commissioners to direct that voting by mail be utilized in certain special elections; specifying the application of certain provisions of law to a special election conducted by mail; requiring a local board of elections to mail a vote-by-mail ballot to each registered voter who is eligible to vote in a special election conducted by mail unless the voter has requested that the ballot be transmitted by other means; specifying that a voter is not required to submit an application to receive a vote-by-mail ballot; requiring a local board to send a vote-by-mail ballot to each eligible voter at least a certain number of days before the day of a special election; requiring that vote-by-mail ballots be mailed to the address on file in the statewide voter registration list for each eligible voter except in certain circumstances; requiring a local board to issue a replacement vote-by-mail ballot to a voter under certain circumstances; requiring each local board to establish at least one voting center for the use of any eligible voter who chooses to cast a ballot in person in a special election; specifying certain requirements for a voting center established by a local board; authorizing a local board to establish a voting center during a certain time period; providing that a certain process for applying in person for an absentee ballot at the office of a local board does not apply to a special election conducted by mail; providing that certain provisions of law relating to voting at a polling place on election day also apply to voting at a voting center established under this Act; requiring a voter to return a vote-by-mail ballot by certain methods; authorizing a voter to designate an agent to return a vote-by-mail ballot to a local board; requiring that a vote-by-mail ballot be returned to a local board by certain deadlines and meet certain requirements to be considered timely and be counted; authorizing the State Board of Elections to adopt regulations as necessary to implement this Act; and generally relating to voting by mail in special elections.

BY adding to

Article – Election Law

Section 9–601 through 9–606 to be under the new subtitle “Subtitle 6. Voting by Mail in Special Elections”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 172 – Chair, Anne Arundel County Senators**

## CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Circuit Court for Anne Arundel County – Judges Sitting as Orphans’ Court**

FOR the purpose of requiring the judges of the Circuit Court for Anne Arundel County to sit as the Orphans’ Court for Anne Arundel County; repealing a requirement that the qualified voters of Anne Arundel County elect three orphans’ court judges; generally relating to judges of the Circuit Court for Anne Arundel County sitting as the Orphans’ Court for Anne Arundel County; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article IV – Judiciary Department

Section 20(b) and 40(a)

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

**Senate Bill 173 – Chair, Anne Arundel County Senators**

AN ACT concerning

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

FOR the purpose of requiring that a question be placed on the ballot in Anne Arundel County at the November general election of 2014 to determine the sense of the voters of the County on the issue of changing the method of selecting members of the Anne Arundel County Board of Education; providing for the carrying out of the straw ballot; and generally relating to the holding of a straw ballot in Anne Arundel County.

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

**Senate Bill 174 – Chair, Anne Arundel County Senators**

AN ACT concerning

**Education – Public Charter Schools – Capital Improvement Requests**

FOR the purpose of making public charter schools eligible to receive State funds for school construction subject to certain requirements; requiring the public charter school to submit a certain request for a capital improvement project to the county board of education; requiring the county board to establish a deadline for

request submission; requiring the county board to make a certain evaluation of the request; requiring the county board to provide the public charter school with certain notice by a certain date; requiring the county board to allow the public charter school to make certain corrections in a reasonable time; requiring the Interagency Committee on School Construction and the Board of Public Works to make a certain evaluation of the request; providing for the disbursement of State funds; prohibiting the disbursement of State funds until a certain agreement is made; authorizing the county board and the public charter school to enter into a certain agreement to use alternative financing methods; stating a certain intent of the General Assembly; and generally relating to the capital improvement projects of public charter schools.

BY adding to

Article – Education

Section 9–113

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 175 – Senators Kelley, Benson, Colburn, Manno, Montgomery, Reilly, and Rosapepe**

AN ACT concerning

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

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

BY adding to

Article – State Government

Section 13–411

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 176 – Senator Kelley**

AN ACT concerning

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

FOR the purpose of providing that a contract for the resale of a unit in a condominium by a unit owner other than a developer is not enforceable unless the contract contains a certain notice, and the unit owner furnishes to the purchaser certain information, concerning potential special assessments under certain circumstances; providing that a contract for the resale of a lot in a development subject to the authority of a homeowners association is not enforceable by the vendor unless the purchaser is given a certain notice concerning potential special assessments under certain circumstances; providing for the application of this Act; and generally relating to notice of potential special assessments in contracts for resale in condominiums and homeowners associations.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–135 and 11B–106  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 177 – Senators Young, Brinkley, Middleton, and Miller**

AN ACT concerning

**Creation of a State Debt – Frederick County – The Jane Hanson National Memorial**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$35,000, the proceeds to be used as a grant to the Board of Directors of The John Hanson Memorial Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**MOTION**

Senator Klausmeier moved to suspend Rule 32 to allow **Senate Bill 178** through **Senate Bill 181** to be referred to the appropriate committee.

The motion was adopted.

**INTRODUCTION OF BILLS**



**Senate Bill 178 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources)**

AN ACT concerning

**Family Law – Blood or Genetic Test Results – Legal Finding of Paternity**

FOR the purpose of establishing that a laboratory report of a blood or genetic test constitutes a legal finding of paternity under certain circumstances; authorizing the Child Support Enforcement Administration to file a copy of a certain laboratory report with the Department of Health and Mental Hygiene under certain circumstances; authorizing the Administration to provide certain information; authorizing the Department to make a new certificate of birth under certain circumstances; and generally relating to paternity establishment.

BY adding to

Article – Family Law  
Section 5–1029.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 4–211(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 179 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Architects, Landscape Architects, and Professional Land Surveyors – Firm Permits**

FOR the purpose of altering certain requirements for the responsible member of an entity providing architectural services; authorizing the State Board of Architects to deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or impose a certain penalty under certain circumstances and subject to certain hearing provisions; providing for the reinstatement of a firm permit issued by the State Board of Architects under certain circumstances; authorizing landscape architecture to be practiced through a limited liability company under certain circumstances; requiring a limited liability company to hold a permit issued by the State Board of

Examiners of Landscape Architects before operating a business through which landscape architecture is practiced; establishing certain qualifications and application requirements for a firm permit issued by the State Board of Examiners of Landscape Architects; authorizing the State Board of Examiners of Landscape Architects to deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or impose a certain penalty under certain circumstances and subject to certain hearing provisions; providing for the reinstatement of a firm permit issued by the State Board of Examiners of Landscape Architects under certain circumstances; establishing certain qualifications, application requirements, and renewal requirements for a firm permit to operate a business through which land surveying or property line surveying is practiced; authorizing the State Board for Professional Land Surveyors to deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or impose a certain penalty under certain circumstances and subject to certain hearing provisions; providing for the reinstatement of a firm permit issued by the State Board for Professional Land Surveyors under certain circumstances; requiring certain permit holders to provide certain notification of certain changes or occurrences within a certain period of time; altering certain definitions; making stylistic and conforming changes; and generally relating to firm permits issued by the State Board of Architects, the State Board of Examiners of Landscape Architects, and the State Board for Professional Land Surveyors.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 3–401, 3–403(b), 3–404(c)(3), 3–602, 9–401, 9–402, 9–403, 9–404, 9–602, 15–402, 15–403, and 15–406

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Occupations and Professions

Section 3–410 through 3–416, 9–405(b), 9–409 through 9–416, 15–402.1, and 15–407 through 15–414

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing

Article – Business Occupations and Professions

Section 9–405(b) and 9–409

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 180 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – State Chemist Fund**

FOR the purpose of repealing certain special funds in the Department of Agriculture; requiring certain penalties and proceeds to be deposited in the State Chemist Fund instead of the General Fund of the State; establishing the State Chemist Fund in the Department as a special, nonlapsing fund; providing for the contents of the Fund; specifying the purpose of the Fund; providing that money in the Fund, up to a certain amount, may not revert to the General Fund of the State; requiring certain money to be transferred to the State Chemist Fund within a certain period of time; defining a certain term; and generally relating to the establishment of the State Chemist Fund in the Department of Agriculture.

BY repealing

Article – Agriculture

Section 5–103, 6–103, 6–204, and 6–303

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 5–107.1(c), 5–111(b), 6–310, and 6–401(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY adding to

Article – Agriculture

Section 6–501 to be under the new subtitle “Subtitle 5. State Chemist Fund”

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 181 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Human Resources)**

AN ACT concerning

**Family Law – Child Support – Presumptive Support Obligation**

FOR the purpose of establishing a presumptive support obligation under certain circumstances; authorizing a party to seek a judicial determination of support or challenge a presumptive support obligation; establishing that a presumptive support obligation remains in effect until otherwise determined or modified by the court; providing for the contents of a presumptive support obligation form; requiring that the parties be advised of certain legal consequences and rights; requiring the Administration to take certain actions; altering a certain definition; and generally relating to child support.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 10–1A–01 and 10–1A–02  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

## INTRODUCTION OF BILLS

### **Senate Bill 182 – Senators Brochin and Kittleman**

AN ACT concerning

### **Maryland Transit Administration – Activation of Audio Recording Devices on Vehicles Used for Transit Service – Prohibition**

FOR the purpose of prohibiting the Maryland Transit Administration, on certain transit service vehicles equipped with an audio recording device, from activating the audio recording device; requiring the Administration to post a certain notice on each vehicle equipped with an audio recording device; and generally relating to audio recording devices on vehicles used by the Maryland Transit Administration to provide transit service.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 7–101(l) and (n)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Transportation  
Section 7–705.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**THE COMMITTEE ON FINANCE REPORT #2**

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 65 – Chair, Finance Committee (By Request – Departmental – Workers’ Compensation Commission)**

AN ACT concerning

**Workers’ Compensation – Claim Processing – Electronic Delivery of Decisions**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 85 – Chair, Finance Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Maryland Port Commission – Management Personnel Appointments – Operating and Managing Port Facilities**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 32)

**ADJOURNMENT**

At 10:39 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 18, 2013.

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**Annapolis, Maryland  
Friday, January 18, 2013  
11:00 A.M. Session**

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The Senate met at 11:10 A.M.

Prayer by Father Stephen E. Hook, St. Ursula Catholic Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

The Journal of January 17, 2013 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 34)

**MOTION**

Senator Klausmeier moved to suspend Rule 32 to allow **Senate Bill 183** to be referred to the appropriate committee.

The motion was adopted.

**INTRODUCTION OF BILLS**

**Senate Bill 183 – Chair, Budget and Taxation Committee (By Request – Departmental – Business and Economic Development) and Senator Kasemeyer**

**EMERGENCY BILL**

AN ACT concerning

**Income Tax – Business and Economic Development – Film Production  
Activity Tax Credit**

FOR the purpose of extending certain termination provisions for a certain income tax credit allowed for certain entities that carry out certain film production activities in the State; altering the amount of certain tax credit certificates that the Secretary of Business and Economic Development may issue for certain fiscal years; making this Act an emergency measure; and generally relating to income tax credits for certain film production activities.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–730  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 516 of the Acts of the General Assembly of 2011  
Section 2

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

## INTRODUCTION OF BILLS

### **Senate Bill 184 – Senator Raskin**

AN ACT concerning

### **Creation of a State Debt – Montgomery County – Pyramid Atlantic Art Center Space at the Silver Spring Library**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Pyramid Atlantic Art Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 185 – Senators Pugh, Benson, Ferguson, Forehand, Jones–Rodwell, Madaleno, Manno, Montgomery, Muse, Ramirez, and Raskin**

AN ACT concerning

### **Public Safety – Emergency Management – Essential Goods and Services**

FOR the purpose of prohibiting a person from selling or offering to sell certain goods and services for a certain price during a state of emergency; prohibiting a person from selling or offering to sell certain services for a certain price during a state of emergency and for a certain amount of time following a state of emergency; creating certain exceptions; requiring the Office of the Attorney General to provide a person an opportunity to present evidence that a price increase was not unlawful; providing that a certain sale or offer for sale is an unfair or deceptive trade practice; providing that certain remedies and penalties do not apply to a certain sale or offer for sale of certain goods and services; altering a certain definition; defining certain terms; and generally relating to the sale of goods and services during or following a state of emergency.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 14–101(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 14–101(c)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Public Safety  
Section 14–1101 through 14–1104 to be under the new subtitle “Subtitle 11.  
Essential Goods and Services”  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 186 – Senator Kasemeyer**

AN ACT concerning

### **Creation of a State Debt – Baltimore County – Good Shepherd Center Cooling Tower**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$450,000, the proceeds to be used as a grant to the Board of Directors of the House of the Good Shepherd, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a



deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 187 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Catonsville Historic Hilton Mansion Rehabilitation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Trustees of The Community College of Baltimore County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 188 – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, McFadden, Middleton, Montgomery, Muse, and Ramirez**

AN ACT concerning

**Minority Business Enterprises – Goals and Subgoals**

FOR the purpose of requiring the Procurement Advisor to conduct an examination concerning the process by which the heads of units and their procurement officers, in consultation with the Special Secretary of Minority Affairs, the Secretary of Transportation, and the Attorney General, sets certain goals and subgoals for participation of certain minority groups in State procurement; specifying certain factors to be considered during the examination; requiring the Procurement Advisor to report certain findings on or before a certain date; and generally relating to the setting of goals and subgoals for participation of certain minority groups in State procurement.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 12–102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 14–302(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 189 – Senator Shank**

AN ACT concerning

**Residential Real Property Sales – Property Tax Disclaimer**

FOR the purpose of requiring a certain form developed by the State Real Estate Commission in connection with the sale of residential real property to contain a certain statement about the possibility of significant differences in the property tax bill previously paid by the seller of the property and the property tax bill of the buyer of the property; and generally relating to sales of residential real property.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 10–702(b) and (f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 10–702(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 190 – Senator Shank**

AN ACT concerning

**State Government – Notary Public – Appointment**

FOR the purpose of authorizing a State Senator to delegate the Senator’s authority to approve an applicant for notary public to the Secretary of State; authorizing the Governor to appoint and commission, under certain circumstances, an individual as a notary public on the approval of the Secretary; requiring a certain application, under certain circumstances, to bear or be accompanied by

the written approval of the Secretary; and generally relating to the appointment of a notary public.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 18–101 and 18–103(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 191 – Senators King, Ferguson, Garagiola, Manno, McFadden, Montgomery, Peters, Pugh, Ramirez, and Robey**

AN ACT concerning

**Criminal Law – Theft of Wheeled Cart – Penalty**

FOR the purpose of altering the penalty for the crime of theft of a wheeled cart; and generally relating to theft of a wheeled cart.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 7–201  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 192 – Senators King, Forehand, Garagiola, Manno, Mathias, McFadden, Montgomery, Peters, Pugh, Ramirez, and Robey**

AN ACT concerning

**Vehicle Laws – Child Safety Seats and Seat Belts – Penalty**

FOR the purpose of increasing the fine for failing to secure a child under a certain age in a child safety seat or seat belt while transporting the child in a motor vehicle or operating a motor vehicle; repealing a requirement that court costs are included in a certain fine; making stylistic changes; and generally relating to child safety seats and seat belts.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 22–412.2, 22–412.3, and 27–106(b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 193 – Senators King, Ferguson, Madaleno, Manno, McFadden, Montgomery, Peters, Pugh, Ramirez, and Robey**

AN ACT concerning

**Vehicle Laws – Prohibition on Handheld Telephone Use – Primary Offense if Child Is Passenger**

FOR the purpose of establishing that a certain prohibition on the use of a handheld telephone while operating a motor vehicle may be enforced as a primary action if a child under a certain age is a passenger in the motor vehicle; and generally relating to the prohibition on the use of a handheld telephone while operating a motor vehicle.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–1124.2

Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 194 – Senators Kelley, Benson, Conway, Currie, Ferguson, Jones–Rodwell, King, Pugh, Reilly, and Young**

AN ACT concerning

**Education – Charter Schools – Study to Recommend Improvements to the Maryland Public Charter School Program**

FOR the purpose of requiring the Maryland State Department of Education to conduct a certain study and provide certain recommendations to the Governor and the General Assembly on or before a certain date regarding improvements to the Maryland Public Charter School Program; declaring a certain intent of the General Assembly and a certain priority of the State; providing for the termination of this Act; and generally relating to improving the Maryland Public Charter School Program.

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

**Senate Bill 195 – Senators Kelley, Astle, Benson, Forehand, Glassman, Jacobs, Jones–Rodwell, Kittleman, Mathias, Middleton, Pugh, and Rosapepe**

AN ACT concerning

**Hospitals – Notice to Patients – Outpatient Status and Billing Implications**

FOR the purpose of requiring a hospital, under certain circumstances, to provide certain notice to a patient of the patient's outpatient status, the billing implications of the outpatient status, and the impact of the outpatient status on the patient's eligibility for Medicare rehabilitation services; requiring the Department of Health and Mental Hygiene to adopt by regulation standard language for a certain written notice; and generally relating to notices provided by hospitals to patients.

BY adding to

Article – Health – General

Section 19–349.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 196 – Senator Frosh**

AN ACT concerning

**Register of Wills – Salary**

FOR the purpose of altering a certain limit on the maximum salary that the Board of Public Works may set for a register of wills; providing that this Act does not apply to the salary or compensation of an incumbent register of wills during a certain term of office; and generally relating to the salary of a register of wills.

BY repealing and reenacting, without amendments,

Article – Estates and Trusts

Section 2–205(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 2–205(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 197 – Senator Frosh**

AN ACT concerning

**Maryland Condominium Act – Closed Meetings of Board of Directors**

FOR the purpose of altering the purposes for which a meeting of the board of directors of a condominium council of unit owners may be held in closed session; and generally relating to meetings of the board of directors of a condominium council of unit owners.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–109.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 198 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Family Allowance**

FOR the purpose of altering certain family allowances for a surviving spouse or certain children of a decedent; providing for the application of this Act; and generally relating to certain family allowances.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 3–201  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 199 – Senator Frosh**

AN ACT concerning

**Real Property – Refinance Mortgage – Priority over Junior Liens**

FOR the purpose of authorizing a mortgagor or grantor to refinance a first mortgage or deed of trust without obtaining permission from the holder of a certain junior lien under certain circumstances; providing that a certain refinance mortgage shall have the same lien priority as the first mortgage or deed of trust that it

replaces; requiring a certain statement to be printed on a refinance mortgage; defining certain terms; and generally relating to refinance mortgages.

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 3–203  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Real Property  
Section 7–112  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 200 – Senator Gladden**

AN ACT concerning

#### **State Government – Departments and Units of Executive Branch – Heads and Officers – Qualifications**

FOR the purpose of requiring that a head of a principal department, a head of a unit in the Executive Branch of the State government, or an officer in the Executive Branch of the State government must be a resident of the State; providing for the application of this Act; and generally relating to the qualifications of a head of a principal department, a head of a unit in the Executive Branch of the State government, and an officer in the Executive Branch of the State government.

BY adding to  
Article – State Government  
Section 8–505  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 201 – Senator Gladden**

AN ACT concerning

#### **Maryland Consolidated Capital Bond Loan of 2009 – Baltimore City – Roland Park Fire Station Rehabilitation**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2009 to alter the purpose of a certain grant for the Roland Park Fire Station Rehabilitation project; extending the deadline for a certain grantee to present evidence of a matching fund and for certain funds to be expended or encumbered; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2009.

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA03(U)

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

**Senate Bill 202 – Senators King, Brinkley, Currie, Garagiola, Madaleno, Manno, Peters, Ramirez, Raskin, and Robey**

AN ACT concerning

**Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption**

FOR the purpose of exempting from the recordation tax and the State transfer tax the transfer of real property between a parent business entity and its wholly owned subsidiary or between subsidiaries wholly owned by the same parent business entity under certain circumstances; defining certain terms; providing for the application of this Act; and generally relating to exempting certain transfers of real property between related business entities from the recordation tax and the State transfer tax.

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 12–108(p) and 13–207(a)(9)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 203 – Senators King, Brinkley, Colburn, Currie, Garagiola, Klausmeier, Madaleno, Manno, McFadden, Peters, Pugh, Robey, and Young**

AN ACT concerning

**Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts and Small Business Refund**



FOR the purpose of defining “small business” as it relates to a certain refund in connection with a certain credit against the State income tax for certain research and development expenses incurred by an individual or corporation; altering the total amount of research and development credits that the Department of Business and Economic Development may approve in a calendar year; providing that certain unused credits by a small business may be claimed as a refund; providing for the application of this Act; and generally relating to certain credits against the State income tax based on certain expenses paid or incurred for certain research and development conducted in the State.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–721  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 204 – Senator Edwards**

AN ACT concerning

#### **Bow Hunting – Possession of Handguns for Protection**

FOR the purpose of prohibiting the Department of Natural Resources from restricting certain licensed bow hunters from carrying a handgun under certain circumstances; defining a certain term; making stylistic changes; and generally relating to the use of weapons while hunting wildlife.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–408  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 205 – Senator Shank**

AN ACT concerning

#### **Vehicle Laws – Fleeing or Eluding Police**

FOR the purpose of creating an exception to the prohibition against attempting to elude a police officer under certain circumstances to allow a driver who has been given a visual or an audible signal to stop by a police officer in a vehicle that is

not an appropriately marked police vehicle but is displaying an activated flashing blue or red and blue light to proceed directly to a police station or any other lighted public location before stopping; altering the law to prohibit a driver who has been given a visual or an audible signal to stop by a police officer from attempting to elude the police officer in a manner that poses a risk of imminent bodily injury to another person; making it a felony for a driver to attempt, in a certain manner, to elude a police officer who gives the driver a visual or an audible signal to stop and the driver's actions pose a risk of imminent bodily injury to, result in bodily injury to, or result in the death of another person; defining certain terms; altering a certain definition; making conforming changes; and generally relating to eluding police officers by drivers of vehicles under certain circumstances.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–904  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 206 – Senators Forehand and King**

EMERGENCY BILL

AN ACT concerning

**Vehicle Laws – Intercounty Connector – Maximum Speed Limit**

FOR the purpose of increasing the maximum speed limit on the Intercounty Connector; defining a certain term; making this Act an emergency measure; and generally relating to maximum speed limits.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 4–321(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 21–801.1(b), (d), and (e)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Transportation

Section 21–801.1(g)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 207 – Senators Brochin, Klausmeier, Muse, Peters, and Zirkin**

AN ACT concerning

**Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems**

FOR the purpose of altering the definition of “recorded image” for purposes of provisions related to speed monitoring systems and work zone speed control systems; requiring that certain time–stamped images of a motor vehicle provide sufficient information to allow for the calculation of a certain speed of the motor vehicle; establishing that a speed monitoring system placed in a school zone may be placed in a school zone established only for an elementary or a secondary school; requiring, for a certain purpose, markings to be applied to portions of the roadway on which certain violations will be recorded; prohibiting a speed monitoring system placed in a school zone from being placed beyond a certain distance from the property of a certain school; altering certain prohibitions to provide that the fee of a contractor that administers and processes civil citations issued as a result of violations recorded by a speed monitoring system or a work zone speed control system may not be contingent on the number of citations issued or paid; and generally relating to speed monitoring systems and work zone speed control systems.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 21–809(a)(4), (b)(1)(vi) and (vii), and (j) and 21–810(a)(4) and (j)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to

Article – Transportation  
Section 21–809(b)(1)(ix)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 208 – Senators Dyson and Colburn**

AN ACT concerning

**Natural Resources Police Force – Number of Officers**

FOR the purpose of stating the intent of the General Assembly that the Natural Resources Police Force employ a certain number of Natural Resources police officers by a certain date; authorizing under certain circumstances, beginning in a certain fiscal year and continuing each subsequent year, the Natural Resources Police Force to increase the number of cadets and recruits enrolling in the Maryland Natural Resources Police Academy until the size of the force is sufficient to meet a certain mission of the Department; requiring the Natural Resources Police Force to provide certain reports to the General Assembly on or before certain dates; and generally relating to the Natural Resources Police Force.

BY adding to

Article – Natural Resources

Section 1–201.2

Annotated Code of Maryland

(2012 Replacement Volume)

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

### **Senate Bill 209 – Senator Forehand**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – Rockville Emergency Management and Maintenance Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$340,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Rockville for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 210 – Senator Simonaire**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Elected Officials – Civil Cases – Liability for Costs, Judgments, and Settlements (Taxpayer Protection Act of 2013)**

FOR the purpose of requiring certain elected officials of a local government, under certain circumstances, to reimburse the local government for certain costs related to legal defenses provided by the local government; providing that, under certain circumstances, certain elected officials of a local government are fully liable for damages awarded in or for the amount of a settlement resulting from certain actions; providing that, under certain circumstances, a local government may not be held liable for judgments against certain elected officials; altering the provisions to be included in a certain agreement to enable the Attorney General to require, under certain circumstances, certain State officers to reimburse the Attorney General for certain costs; providing that, under certain circumstances, the State may not be held liable to certain State officers for the reimbursement of certain costs under a certain provision of law; prohibiting the Board of Public Works, under certain circumstances, from paying a settlement or judgment under a certain provision of law; providing for the application of this Act; making this Act an emergency measure; and generally relating to liability for costs, judgments, and settlements related to civil cases filed against elected officials.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–302 and 5–303  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 12–305, 12–310, and 12–404  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 211 – Senator Shank**

AN ACT concerning

#### **Natural Resources – Tree Experts – Prohibition**

FOR the purpose of prohibiting a licensed tree expert from supervising more than one company that provides tree expert services; making stylistic changes; and generally relating to tree experts.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–423  
Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 212 – Senators Edwards, Astle, and Shank**

AN ACT concerning

**Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities**

FOR the purpose of authorizing an individual to possess a certain number of certain special registration plates for individuals with disabilities for certain motorcycles in addition to the special registration plate and parking placards authorized under certain provisions of law; and generally relating to special registration plates and parking placards for individuals with disabilities.

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 13–616(c) and 13–616.1(c)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 213 – Senators Jacobs, Astle, Getty, Glassman, Kelley, Kittleman, Klausmeier, Montgomery, Muse, Peters, Pipkin, Reilly, Robey, and Simonaire**

AN ACT concerning

**Emergency Medical Services – Automated External Defibrillators – Immunity from Liability**

FOR the purpose of providing immunity from civil liability to a certain individual who uses an automated external defibrillator (AED) to provide certain assistance or medical aid to a victim at the scene of an emergency under certain circumstances; and generally relating to immunity from liability for use of an AED.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 5–603  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 214 – Senators Jacobs, Colburn, Currie, Dyson, Getty, Glassman, Kelley, Kittleman, Klausmeier, McFadden, Montgomery, Muse, Peters, Pipkin, Reilly, Robey, and Simonaire**

EMERGENCY BILL

AN ACT concerning

**Criminal Law – Part-Time School Employees and Coaches – Sexual Contact with Minors**

FOR the purpose of altering the definition of a “person in a position of authority” relating to prohibiting an individual from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances to remove a limitation to full-time employees and to include certain coaches; making this Act an emergency measure; and generally relating to a sexual offense involving a person in a position of authority and a minor under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–307  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–308  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 215 – Senators Forehand, Benson, Colburn, Dyson, Garagiola, Jones–Rodwell, Kasemeyer, Kelley, King, Manno, Montgomery, Simonaire, Stone, and Young**

AN ACT concerning

**Criminal Law – Human Trafficking – Victims Under Age 21**

FOR the purpose of altering a certain provision concerning the age of a victim for purposes of certain prohibitions against felony human trafficking; and generally relating to human trafficking.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 11–303  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 216 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Correctional Officers’ Bill of Rights**

FOR the purpose of adding Harford County to the provisions of law relating to the Cecil County, Garrett County, and St. Mary’s County Correctional Officers’ Bill of Rights; providing that certain provisions of law relating to hearing board procedures and the finality of certain hearing board decisions do not apply in Harford County; defining certain terms; and generally relating to the Correctional Officers’ Bill of Rights.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–1001, 11–1002, 11–1008, and 11–1009  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**LETTERS OF REASSIGNMENT**

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 170 – Senator Forehand**

AN ACT concerning

**Estates and Trusts – Modified Administration and Inheritance Tax**

Reassigned to the Committee on Judicial Proceedings under Rule 33(d).

Read and ordered journalized.

**QUORUM CALL**



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

(See Roll Call No. 35)

**RECESS**

At 11:28 A.M. on motion of Senator Garagiola, seconded, the Senate recessed until 8:00 P.M. on Monday, January 21, 2013.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: January 18, 2013**  
**Calendar Day: Monday, January 21, 2013**

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At 8:10 P.M. the Senate resumed its session.

Prayer by Bishop Larry Lee Thomas, Empowering Believers Church of the Apostolic Faith, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

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

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 38)

**INTRODUCTION OF BILLS**

**Senate Bill 217 – Senator Klausmeier (By Request – Baltimore County Administration)**

AN ACT concerning

**Vehicle Laws – Registration Plates for Individuals with Disabilities –  
Parking in Baltimore County**

FOR the purpose of authorizing an individual for whom special registration plates for individuals with disabilities are issued to park in a designated zone for the handicapped established by Baltimore County on any county road, subject to a certain restriction; making a stylistic change; and generally relating to parking in Baltimore County and special registration plates for individuals with disabilities.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–616(f)(2)  
Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 218 – Senator Klausmeier (By Request – Baltimore County Administration)**

AN ACT concerning

**Baltimore County Code of Public Local Laws – 2013 Edition – Legalization**

FOR the purpose of legalizing the 2013 Edition of the Baltimore County Code of Public Local Laws and any supplement to the extent to which that code or supplement contains laws enacted by the General Assembly; and generally relating to the 2013 Edition of the Baltimore County Code of Public Local Laws.

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

**Senate Bill 219 – Senators Glassman and Jennings**

AN ACT concerning

**Creation of a State Debt – Harford County – Humane Society Animal Shelter**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of The Humane Society of Harford County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 220 – Senator McFadden**

AN ACT concerning

**Consumer Protection – Television Service Providers – Missed Appointments**

FOR the purpose of requiring certain television service providers to notify a subscriber of the subscriber's right to receive an installation or repair service within a certain period of time under certain circumstances; requiring a television service provider and a subscriber to agree on the time at which a certain period begins; establishing certain penalties if a television service provider does not begin an installation or repair service within a certain time period; establishing

certain exceptions; prohibiting a television service provider from canceling an installation or repair service appointment with a subscriber after the close of business on a certain day; providing that a certain service contract that waives or modifies certain rights is void; defining a certain term; providing for the application of this Act; and generally relating to television service providers.

BY adding to

Article – Commercial Law

Section 14–1324

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 221 – Senators Raskin, Frosh, Manno, and Montgomery**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – University Gardens Senior Apartments**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$450,000, the proceeds to be used as a grant to the Board of Directors of the Korean Community Service Center of Greater Washington, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 222 – Senator Raskin**

AN ACT concerning

#### **Motor Vehicle Administration – Yellow Dot Program**

FOR the purpose of establishing the Yellow Dot Program in the Motor Vehicle Administration in order to provide a means to alert emergency responders to health-related information in the event a Program participant is involved in a vehicle emergency and is unable to communicate; providing that a Program participant, by affixing a yellow dot decal to a vehicle, consents to a certain search of the vehicle's glove compartment or glove box by emergency responders under certain circumstances; requiring the Administration to design and make available certain materials necessary to implement and administer the Program; authorizing the Administration to charge a Program participant a

certain fee; requiring the Administration to publicize the Program and distribute Program materials in cooperation with certain departments and certain fire and rescue companies; and generally relating to the Yellow Dot Program.

BY adding to

Article – Transportation

Section 12–501 through 12–503 to be under the new subtitle “Subtitle 5. Yellow Dot Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 223 – Senator Conway**

AN ACT concerning

#### **Alcoholic Beverages – Class 7 Limited Beer Wholesaler’s License**

FOR the purpose of creating a Class 7 limited beer wholesaler’s license that allows the license holder to sell, deliver, and distribute its own beer produced at the holder’s premises to a retail license holder or permit holder in the State under certain circumstances; repealing certain prohibitions against issuing a nonresident dealer’s permit to a certain person; authorizing the Office of the Comptroller to issue a nonresident brewery permit to a certain person licensed outside the State to sell and deliver a certain amount of beer to a retail license holder or permit holder in the State under certain circumstances; authorizing certain holders of a Class 5 manufacturer’s license or a Class 7 micro–brewery license to apply for and obtain a Class 7 limited beer wholesaler’s license if certain requirements are met; specifying certain annual license fees for a Class 7 limited beer wholesaler’s license and a nonresident brewery permit; authorizing a holder of a Class 7 limited beer wholesaler’s license to use additional locations for certain purposes on the payment of a certain fee; allowing a Class 7 limited beer wholesaler’s license to be issued only to certain persons; authorizing a holder of a Class 7 limited beer wholesaler’s license to distribute not more than a certain amount of its own beer annually; and generally relating to Class 7 beer wholesaler’s licenses.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 2–101(i)(2) and (w)(3), 2–201(b), and 2–301(a) and (b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 2–101(z)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 224 – Senators Pugh, Conway, Garagiola, Glassman, and Montgomery**

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program – Bona Fide Wellness Program and Wellness Promotion**

FOR the purpose of requiring the Secretary of Budget and Management, in consultation with the Secretary of Health and Mental Hygiene, to develop and implement a certain bona fide wellness program for inclusion in the State Employee and Retiree Health and Welfare Benefits Program; establishing certain requirements for the bona fide wellness program; authorizing the bona fide wellness program to include certain incentives for achieving health goals; requiring the Secretary of Budget and Management to consider certain actions to promote wellness among Program enrollees; requiring the Secretary of Budget and Management to report to the Governor and the General Assembly on or before a certain date on the implementation of this Act; and generally relating to a bona fide wellness program in the State Employee and Retiree Health and Welfare Benefits Program and wellness promotion.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 2–501(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–503(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 225 – Senators Pugh and Gladden**

AN ACT concerning

**Baltimore City – 40th and 41st Legislative Districts – Alcoholic Beverages –  
Store Closing Hours**

FOR the purpose of altering the time at which establishments issued certain Class A alcoholic beverages licenses in the 40th and 41st Legislative Districts in Baltimore City must stop selling alcoholic beverages; and generally relating to alcoholic beverages sales in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–302(a) and 11–303(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 226 – Senators Pugh, Benson, Currie, Dyson, Jones–Rodwell,  
Kasemeyer, Kelley, McFadden, Muse, and Robey**

AN ACT concerning

**Morgan State University – Board of Regents – Length and Limitation of  
Terms**

FOR the purpose of altering the length of time of the term of office of a member of the Board of Regents of Morgan State University; setting a limit on the number of terms that a member may serve; and generally relating to the terms of members of the Board of Regents of Morgan State University.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 14–102  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 227 – Senators Brochin and Raskin**

AN ACT concerning

**Tax Sales – Redemption of Property – Taxes, Interest, and Penalties**

FOR the purpose of repealing a requirement that a person redeeming a property sold at a tax sale shall pay certain taxes, interest, and penalties in order to redeem the property; and generally relating to tax sales of property.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 14–828(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 228 – Senators Frosh, Montgomery, Raskin, and Young**

AN ACT concerning

**Criminal Law – Use of Handgun in Crime of Violence or Felony – Statute of Limitations**

FOR the purpose of providing that a person who violates a certain provision of law prohibiting using a firearm in the commission of a crime of violence or felony is not covered by the 1–year statute of limitations for a misdemeanor; and generally relating to prohibitions on the use of a firearm in the commission of a crime of violence or felony.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–204  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 229 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Courts – Juveniles – Expungement of Records**

FOR the purpose of authorizing a person to file a certain petition for expungement of certain juvenile records; requiring the court to serve a certain petition on a certain State’s Attorney; authorizing the court to order the expungement of a certain record under certain circumstances; requiring the court to consider certain criteria in its consideration of a certain petition for expungement of records; authorizing and requiring the court to deny a certain petition for expungement under certain circumstances; requiring the court to order the



expungement of certain records under certain circumstances; authorizing the court to hold a certain hearing under certain circumstances; requiring the custodian of certain records to advise in writing certain persons regarding compliance with a certain court order requiring expungement under certain circumstances; authorizing the filing of an appeal by certain persons under certain circumstances; providing that this Act does not apply to certain records; defining certain terms; and generally relating to juveniles and expungement of records.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–8A–27.1

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 230 – Senators Getty and Ferguson**

AN ACT concerning

#### **Open Meetings Act – Public Body – Definition**

FOR the purpose of altering the definition of a “public body” for the purposes of the Open Meetings Act to include an entity that is created by a memorandum of understanding or a master agreement to which a majority of the county boards of education and the State Department of Education are signatories; requiring the State Department of Education to report on or before a certain date to certain committees regarding the activities and decisions of the Maryland Public Secondary Schools Athletic Association; and generally relating to public bodies under the Open Meetings Act.

BY repealing and reenacting, without amendments,

Article – State Government

Section 10–502(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 10–502(h)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 231 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Baltimore Design School**

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

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

**Senate Bill 232 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Skatepark of Baltimore at  
Roosevelt Park**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Skatepark of Baltimore, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 233 – Senator Ferguson**

AN ACT concerning

**Alcoholic Beverages – Baltimore City – 46th District – Class B Location  
Restrictions – Limited Exemption**

FOR the purpose of authorizing the transfer within a certain area in the 46th Legislative District in Baltimore City of certain alcoholic beverages licenses subject to certain restrictions under certain circumstances; making stylistic changes; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 9–204.1(e)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–204.1(f) and 9–204.3  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 234 – Senators Currie, Benson, Miller, Muse, Peters, Pinsky, and Ramirez**

AN ACT concerning

**Office of the Attorney General – Establishment of a Consumer Affairs  
Satellite Office in Prince George’s County**

FOR the purpose of requiring the Office of the Attorney General to establish a consumer affairs satellite office in Prince George’s County; providing for the purpose of establishing the consumer affairs satellite office; requiring the consumer affairs satellite office to provide consumers with certain resources; requiring the Office of the Attorney General to give priority to a certain site in determining where to locate the consumer affairs satellite office; requiring the Office of the Attorney General, on or before a certain date, to report to the Governor and the General Assembly on the operations of the consumer affairs satellite office; and generally relating to the establishment by the Office of the Attorney General of a consumer affairs satellite office in Prince George’s County.

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

**Senate Bill 235 – Senators Ferguson, Conway, Gladden, Jones–Rodwell, McFadden, and Pugh**

AN ACT concerning

**Baltimore City – Alcoholic Beverages – License Revocation**

FOR the purpose of requiring the Board of Liquor License Commissioners for Baltimore City to require a licensee to close to the public the entire operation of the premises for not less than a certain number of days under certain

circumstances; prohibiting the appeal of a certain closure; and generally relating to the revocation of an alcoholic beverages license in Baltimore City.

BY adding to

Article 2B – Alcoholic Beverages

Section 16–103

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 236 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Foresters – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Foresters in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board; requiring that an evaluation of the Board and the statutes and regulations that relate to the Board be performed on or before a certain date; and generally relating to the State Board of Foresters.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 7–602

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(24)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 237 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**Health Occupations – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Acupuncture Board, the State Board of Dietetic Practice, and the State Board of Occupational Therapy Practice in accordance with the provisions of the Maryland Program Evaluation Act (sunset law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the boards; requiring that an evaluation of certain boards and the statutes and regulations that relate to certain boards be performed on or before a certain date; requiring the State Acupuncture Board and the State Board of Dietetic Practice to submit certain reports to certain committees of the General Assembly on or before a certain date; making technical changes; and generally relating to the State Acupuncture Board, the State Board of Dietetic Practice, and the State Board of Occupational Therapy Practice.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1A–502, 5–101(i), 5–202(b), 5–302(d), 5–305, 5–502, and 10–502

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 8–403(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(1), (16), and (43)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 238 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Public Accountancy – Sunset Extension and Program  
Evaluation**

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

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 2–702  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(57)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 239 – The President (By Request – Maryland Judiciary) and  
Senators Garagiola and Pipkin**

AN ACT concerning

**Judgeships – Court of Special Appeals, Circuit Courts, and District Court**

FOR the purpose of altering the number of judges of the Court of Special Appeals; altering the number of resident judges of the circuit court in certain judicial circuits; altering the number of associate judges of the District Court in certain districts; altering the number of District Court judges to be appointed from a certain county; and generally relating to judgeships in certain courts.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings

Section 1–402, 1–503, and 1–603  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 240 – Senators Kelley, Currie, Garagiola, Jacobs, Kittleman, Manno, Montgomery, Muse, Reilly, and Stone**

AN ACT concerning

**Task Force to Study Redistricting in Maryland**

FOR the purpose of establishing a Task Force to Study Redistricting in Maryland; specifying the composition, powers, and duties of the Task Force; providing for the staffing of the Task Force; requiring the Task Force to report its findings and recommendations, including suggested constitutional and legislative changes, to the Governor and to the General Assembly by a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Redistricting in Maryland.

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

**Senate Bill 241 – Senators Jacobs, Astle, Colburn, Getty, Kelley, Kittleman, Reilly, and Stone**

AN ACT concerning

**Administrative Procedure Act – Proposed Regulations – Public Hearings and Voting**

FOR the purpose of requiring the Joint Committee on Administrative, Executive, and Legislative Review to hold a public hearing regarding a proposed regulation under certain circumstances; requiring the Committee, under certain circumstances, to vote on whether to oppose the adoption of a certain regulation under a certain provision of law; requiring that members of the Committee be provided certain notice regarding the scheduling of a certain meeting; and generally relating to public hearings and voting regarding proposed regulations.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–111  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 242 – Senator Astle**

AN ACT concerning

**Public Health – Forensic Laboratories – Regulation**

FOR the purpose of requiring that inspections of certain forensic laboratories be conducted with a certain frequency; requiring the Secretary of Health and Mental Hygiene to authorize a certain nonprofit accreditation body to inspect certain forensic laboratories in the State; requiring certain forensic laboratories to obtain accreditation from a certain nonprofit accreditation body before applying for a certain license; requiring the Secretary to approve a certain nonprofit accreditation body to accredit forensic laboratories in the State; requiring a licensee to submit evidence to the Secretary of current accreditation from a certain nonprofit accreditation body in order to renew its license; specifying certain matters relating to the implementation of certain provisions of this Act about which the Forensic Laboratory Advisory Committee must advise the Secretary; defining a certain term; and generally relating to the regulation of forensic laboratories in the State.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 17–2A–01, 17–2A–02, 17–2A–08, and 17–2A–12(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health – General

Section 17–2A–03.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 243 – Senator Astle**

AN ACT concerning

**Maryland Income Tax Refund – Anne Arundel County Warrant Intercept Program – Extension**

FOR the purpose of extending the termination date of a certain program that requires the Comptroller to withhold the Maryland income tax refund of certain individuals with outstanding warrants under certain circumstances; requiring



the Comptroller to provide a certain report annually; providing for the termination of certain provisions of this Act; and generally relating to withholding income tax refunds for outstanding warrants.

BY adding to

Article – Tax – General  
Section 13–940  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing

Chapter 451 of the Acts of the General Assembly of 2012  
Section 2

BY repealing and reenacting, with amendments,

Chapter 451 of the Acts of the General Assembly of 2012  
Section 3

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

### **Senate Bill 244 – Senator Astle**

AN ACT concerning

#### **City of Annapolis – Alcoholic Beverages – Refillable Container License**

FOR the purpose of creating in the City of Annapolis a refillable container license; authorizing the Alcoholic Beverage Control Board to issue the license to a holder of certain classes of alcoholic beverages licenses; specifying that a holder of the license may sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements; specifying the term of the license; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that was branded by the license holder; requiring the Alcoholic Beverage Control Board to adopt certain regulations; and generally relating to alcoholic beverages in the City of Annapolis.

BY adding to

Article 2B – Alcoholic Beverages  
Section 8–202.2  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 245 – Senator Robey**

AN ACT concerning

**School Buildings – Solar Technology – Design Development Documents**

FOR the purpose of requiring the Board of Public Works to adopt certain regulations requiring certain design development documents for the construction or renovation of school buildings to include certain information relating to the use of solar technology; requiring the Interagency Committee on School Construction to submit a certain report that includes certain information to the Governor and the General Assembly on or before a certain date each year; and generally relating to school buildings and solar technology.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–301.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 246 – Senators Astle and Edwards**

AN ACT concerning

**Vehicle Laws – Protective Headgear Requirement for Motorcycle Riders –  
Exception**

FOR the purpose of providing that a certain prohibition against operating or riding on a motorcycle without certain protective headgear does not apply to an individual at least a certain age who carries at least a certain amount of health insurance coverage for certain injuries; and generally relating to the requirement that protective headgear be worn by operators or riders of motorcycles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1306  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 247 – Senator Klausmeier**

AN ACT concerning

**Workers' Compensation – Payment for Physician–Dispensed Prescriptions –  
Limitations**

FOR the purpose of prohibiting employers or their insurers, except under certain circumstances, from being required to pay for a prescription that is dispensed by a physician to certain covered employees; and generally relating to payment for prescriptions dispensed by physicians to covered employees.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–660  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Labor and Employment  
Section 9–660.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 248 – Senators Brochin and Stone**

AN ACT concerning

**Criminal Law – Home Invasion Violent Crime and Armed Home Invasion  
Violent Crime**

FOR the purpose of prohibiting a person from breaking and entering the dwelling of another and committing a violent crime against a certain victim; prohibiting a person from employing or displaying a dangerous weapon during the commission of a home invasion violent crime; establishing certain criminal penalties; authorizing a sentence imposed under this Act to be separate from and consecutive to a sentence for any other crime that arises from the conduct underlying the home invasion violent crime or armed home invasion violent crime; defining a certain term; altering a certain definition; and generally relating to the prohibition of home invasion violent crimes.

BY adding to  
Article – Criminal Law  
Section 3–1001 to be under the new subtitle “Subtitle 10. Home Invasion  
Violent Crime”  
Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 14–101(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 249 – Senators Forehand and Raskin**

AN ACT concerning

**Vehicle Laws – Manufacturers, Distributors, and Factory Branches –  
Retaliation Against Dealers**

FOR the purpose of prohibiting a manufacturer, distributor, or factory branch from retaliating against a certain vehicle dealer because of legislation enacted by the General Assembly that regulates the franchise relationship; and generally relating to vehicle manufacturers, distributors, and factory branches.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 15–201

Annotated Code of Maryland

(2012 Replacement Volume)

BY adding to

Article – Transportation

Section 15–207.1

Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 250 – Senators Brinkley and Young**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2011 – Frederick County –  
Frederick Alliance For Youth – Youth and Community Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to alter the grantee and the purpose of a certain grant to allow the grant to be used for a certain building; altering the deadline for a certain grantee to present evidence of a certain matching fund and to encumber funds for a certain grant;

and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2011.

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

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

**Senate Bill 251 – Senators Brinkley, Colburn, Garagiola, Glassman,  
Klausmeier, Mathias, Shank, and Young**

AN ACT concerning

**Personal Property Tax – Depreciation of Assessed Value**

FOR the purpose of establishing a certain annual depreciation rate for purposes of assessing the value of personal property; authorizing the State Department of Assessments and Taxation to establish different annual depreciation rates for personal property under certain circumstances; declaring the intent of this Act; providing for the application of this Act; and generally relating to the personal property tax.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 8–107  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 252 – Senators Brinkley, Brochin, Colburn, Dyson, Edwards,  
Getty, Glassman, Jacobs, Jennings, Kittleman, Klausmeier, Manno,  
Mathias, Pipkin, Reilly, Shank, and Young**

AN ACT concerning

**Maryland Estate Tax – Unified Credit**

FOR the purpose of altering a certain limit on the unified credit used for determining the Maryland estate tax; repealing a certain limit on the unified credit used for determining the Maryland estate tax for decedents dying after a certain date; altering a certain limitation on the amount of the Maryland estate tax; and generally relating to the Maryland estate tax.

BY repealing and reenacting, without amendments,  
Article – Tax – General

Section 7–309(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–309(b)(1), (2), and (3)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 253 – Senators Brinkley, Colburn, Dyson, Edwards, Forehand, Getty, Kittleman, Klausmeier, Manno, Mathias, Reilly, Shank, and Young**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Transportation Trust Fund – Dedicated Highway Funds**

FOR the purpose of proposing an amendment to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; requiring that certain tax and fee revenue credited to the Transportation Trust Fund be used only for certain highway purposes; requiring that funds in a certain account in the Transportation Trust Fund be distributed in a certain manner; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53

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

**Senate Bill 254 – Senators Montgomery, Benson, Ferguson, Forehand, Jacobs, Klausmeier, Peters, and Pinsky**

AN ACT concerning

#### **State Board of Examiners of Psychologists – License Renewal**

FOR the purpose of altering the time period before a license expires by which the Board of Examiners of Psychologists is required to send a renewal notice to a licensee; requiring the Board, under certain circumstances, to send a renewal notice by electronic means to a certain electronic mail address of a licensee; requiring the Board, under certain circumstances, to send a renewal notice to a licensee by first-class mail to a certain address of the licensee; requiring each licensee to notify the Board in writing of any change in address or electronic mail address within a certain number of days after the change occurs; making certain stylistic changes; and generally relating to license renewal by the State Board of Examiners of Psychologists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 18–309  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 255 – Senators Montgomery, Benson, Forehand, Frosh, King, Madaleno, Manno, Peters, Ramirez, Raskin, and Robey**

AN ACT concerning

**State Government – Commemorative Days – Rare Disease Day**

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

BY adding to  
Article – State Government  
Section 13–411  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 256 – Senator Montgomery**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2006 – Montgomery County – Our House Youth Home**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to provide that certain grants for the Our House Youth Home may not terminate before a certain date; and generally relating to the Maryland Consolidated Capital Bond Loan of 2006.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the General Assembly of 2009, and Chapter 372 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA01(CP) and Item ZA02(AZ)

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

### **Senate Bill 257 – Senator Montgomery**

AN ACT concerning

#### **Maryland Consolidated Capital Bond Loan of 2010 – Montgomery County – Sandy Spring Museum**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2006 to alter the deadline for the Board of Trustees of the Sandy Spring Museum, Inc. to present evidence of a certain matching fund and to encumber funds for a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010, as amended by  
Chapter 639 of the Acts of the General Assembly of 2012  
Section 1(3) Item ZA02(AX)

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

### **Senate Bill 258 – Senator Shank**

AN ACT concerning

#### **Correctional Services – Inmate Earnings – Compensation for Victims of Crime**

FOR the purpose of adding a requirement that the Department of Public Safety and Correctional Services pay compensation for victims of crime in accordance with certain provisions to a list of deductions that the Department is required to withhold from an inmate's earnings; requiring the Department to withhold a certain amount of the earnings of an inmate in a certain program for compensation for victims of crime; requiring the Department to allocate



earnings that are withheld in a certain manner; requiring the State Board of Victim Services to distribute certain amounts to a certain person or governmental unit; establishing that compliance with a judgment of restitution is a required condition of work release if work release is allowed; applying certain provisions relating to responsibility for the administration of payments of restitution to the Department instead of to the Division of Parole and Probation; requiring the Department to submit a certain report by a certain date; altering the purpose of the State Victims of Crime Fund to include distribution of certain restitution payments; and generally relating to compensation for victims of crime.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–604  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–607 and 11–916  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 259 – Senator Shank**

AN ACT concerning

#### **Criminal Procedure – No–Knock Search Warrants – Prior Notification of County**

FOR the purpose of prohibiting a certain law enforcement officer from executing a search warrant without giving notice of the officer’s authority or purpose unless the chief of a certain law enforcement agency is notified before the execution of the warrant or there is a certain written agreement between a certain county and a certain agency; and generally relating to no–knock search warrants.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 1–203(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 1–203(f)

Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 260 – Senators Young, Madaleno, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

**Alcoholic Beverages – Consumption of Wine Not Bought from License Holder**

FOR the purpose of expanding the application of a certain provision of law to allow an individual in a restaurant, club, or hotel for which any license allowing the sale of wine is issued to consume wine not purchased from or provided by the license holder only under certain circumstances, including a requirement that the license holder obtain a certain corkage permit; requiring each local licensing board to issue a corkage permit at no charge; clarifying language; and generally relating to the consumption of wine in the State.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 12–107(b)(10)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 261 – Senators Young, Garagiola, Kittleman, and Montgomery**

AN ACT concerning

**State Government – Administrative Procedure Act – Effective Date of Adopted Regulations**

FOR the purpose of altering the effective date of certain regulations adopted under the Administrative Procedure Act; and generally relating to regulations adopted under the Administrative Procedure Act.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–117  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 262 – Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)**

AN ACT concerning

**Task Force to Study Implementing a Civil Right to Counsel in Maryland**

FOR the purpose of establishing the Task Force to Study Implementing a Civil Right to Counsel in Maryland; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to certain public officials on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Implementing a Civil Right to Counsel in Maryland.

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

**Senate Bill 263 – Chair, Judicial Proceedings Committee (By Request – Chief Judge, Court of Appeals)**

AN ACT concerning

**Civil Actions – Award of Attorney’s Fees and Expenses**

FOR the purpose of authorizing a court to award a prevailing party reasonable attorney’s fees and expenses in certain civil actions; requiring a court to consider certain factors in determining whether to make a certain award to a prevailing plaintiff; authorizing a court to award attorney’s fees to a prevailing defendant only under certain circumstances; establishing the method of calculating certain awards of attorney’s fees; establishing that a local government employee shall be fully liable for a certain award of attorney’s fees and expenses in a certain action under the Local Government Tort Claims Act; establishing that the limits on the liability of a local government under the Local Government Tort Claims Act do not include a certain award of attorney’s fees and expenses; establishing that the limit on the liability of the State under the Maryland Tort Claims Act does not include a certain award of attorney’s fees and expenses; establishing that certain limits on attorney’s fees under the Maryland Tort Claims Act do not apply to a certain award of attorney’s fees and expenses; defining a certain term; providing for the application of this Act; and generally relating to awarding attorney’s fees and expenses in certain actions.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1901 and 3–1902, to be under the new subtitle “Subtitle 19. Award of Attorney’s Fees and Expenses in Civil Actions”

Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–302(b)(2)(i) and 5–303(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 12–104(a)(2) and 12–109  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 264 – Chair, Judicial Proceedings Committee (By Request –  
Maryland Judicial Conference)**

AN ACT concerning

**Children in Need of Assistance – Review Hearings**

FOR the purpose of requiring the juvenile court to conduct certain hearings within certain periods of time to review the status of certain children under its jurisdiction; requiring the juvenile court to take certain actions at a review hearing under this Act; establishing that a certain hearing to review a child's permanency plan satisfies the requirements for a review hearing under this Act; and generally relating to children in need of assistance.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 3–816.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 265 – Chair, Judicial Proceedings Committee (By Request –  
Maryland Judicial Conference)**

AN ACT concerning

**Children in Need of Assistance – Rights of Preadoptive Parents, Foster  
Parents, and Caregivers of Child**

FOR the purpose of expanding the proceedings for which a local department of social services is required to provide certain notice to preadoptive parents and foster parents of a child under certain circumstances and at which preadoptive parents, foster parents, or their attorneys have the right to be heard; repealing a requirement that a local department of social services provide certain notice to certain relatives of a child and substituting a requirement that the local department provide certain notice to caregivers of a child; repealing the right of certain relatives or their attorneys to be heard in certain proceedings concerning the child and substituting the right of caregivers of a child or their attorneys to be heard in certain proceedings concerning the child; establishing that certain individuals may not be considered to be a party solely on the basis of certain rights; defining a certain term; and generally relating to the rights of preadoptive parents, foster parents, and caregivers of a child.

BY adding to

Article – Courts and Judicial Proceedings  
Section 3–816.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing

Article – Courts and Judicial Proceedings  
Section 3–823(i)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 3–823(j) and (k)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 266 – Senators Frosh, Raskin, Conway, Ferguson, Forehand, Gladden, Kelley, Madaleno, Manno, Montgomery, Ramirez, and Rosapepe**

AN ACT concerning

**Regulated Firearms – Database – Applications for Dealer’s License – Record Keeping and Reporting Requirements**

FOR the purpose of requiring the Secretary of State Police or the Secretary’s designee to disapprove an application for a State–regulated firearms dealer’s license if the Secretary or designee determines that the applicant intends a certain person to participate or hold a certain interest in the management or operation

of the business for which the license is sought; requiring that the Secretary or designee suspend a dealer's license if the licensee is not in compliance with certain record keeping and reporting requirements; requiring that a licensed dealer keep records of all receipts, sales, and other dispositions of firearms affected in connection with the licensed dealer's business; requiring the Secretary or designee to adopt certain regulations specifying certain information; requiring that the records that licensed dealers maintain include certain information; specifying certain record keeping requirements to be met when a firearms business is discontinued; requiring that a licensee respond in a certain way after receipt from the Secretary or designee for certain information; authorizing the Secretary or designee to implement a system by which a certain person may request certain information; requiring the Secretary or designee to inspect the inventory and records of a licensed dealer under certain circumstances; authorizing the Secretary or designee to conduct a certain inspection during a certain time; providing for certain penalties; and generally relating to regulated firearms dealers and applicants for a regulated firearms dealer's license.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(a) and (s)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–110(a), 5–114(a), and 5–115  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Public Safety  
Section 5–144  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 267 – Senators Raskin, Frosh, Madaleno, and Shank**

AN ACT concerning

**Courts and Judicial Proceedings – Interception of Communications – Abuse  
or Neglect of Vulnerable Adult and Medicaid Fraud**

FOR the purpose of adding abuse or neglect of a vulnerable adult and offenses relating to Medicaid fraud to those crimes for which certain evidence may be gathered

by, and a judge may grant an order authorizing, interception of oral, wire, or electronic communications; and generally relating to interception of communications.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 10–402(c)(2) and 10–406(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 268 – Senators Raskin, Brochin, Muse, Shank, and Zirkin**

AN ACT concerning

**Court of Appeals and Court of Special Appeals – Opinions – Public Information**

FOR the purpose of requiring the Court of Appeals and Court of Special Appeals to post each of its opinions and designate whether the opinion is reported or unreported in a certain manner; providing that an unreported opinion of the Court of Appeals or the Court of Special Appeals may be cited only as provided in the Maryland Rules; and generally relating to opinions of the Court of Appeals and Court of Special Appeals.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 12–801 to be under the new subtitle “Subtitle 8. Opinions of the Court of Appeals and Court of Special Appeals”  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 269 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Correction of Errors in Benefits**

FOR the purpose of altering the conditions under which the Board of Trustees for the State Retirement and Pension System is required to correct an error that results in a retiree or beneficiary receiving a benefit that differs from the benefit the retiree or beneficiary is entitled to receive; and generally relating to administering benefits from the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–113(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 270 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – School Facilities – Funding**

FOR the purpose of authorizing certain bonds, notes, or other obligations used for certain purposes in connection with certain school facilities in Baltimore City to be payable from revenues and receipts from a certain beverage container tax, from the proceeds, participation rent, and other fees payable by certain video lottery facilities, or from certain other revenues; authorizing certain revenues and receipts to be irrevocably pledged in a certain manner; making the obligation to make certain payments from certain revenues and receipts subject to an annual appropriation by the Mayor and City Council of Baltimore; authorizing, under certain circumstances, a certain trust agreement or authorizing ordinance to pledge or assign certain revenues and receipts and a certain fund; defining certain terms; and generally relating to the use of revenues and receipts from a certain beverage container tax or other revenues dedicated to the construction of school facilities in Baltimore City.

BY adding to  
The Charter of Baltimore City  
Article II – General Powers  
Section (50)(f)  
(2007 Replacement Volume, as amended)

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

**Senate Bill 271 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Criminal Law – Illegal Dumping and Litter Control Law – Penalties**

FOR the purpose of requiring a court to notify a person who is convicted of a certain litter disposal offense that the person's driver's license may be suspended;



requiring a court to notify the Motor Vehicle Administration of a certain violation involving litter disposal; requiring the Chief Judge of the District Court and the Administrative Office of the Courts, in conjunction with the Administration, to establish certain procedures; authorizing for a first offense, and requiring for a second or subsequent offense, the Administration to suspend, for a certain period of time, the driver's license of a person who is convicted of a certain litter disposal offense; providing for a certain hearing on the request of a licensee under certain circumstances; making a certain conforming change; and generally relating to illegal dumping and litter control.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–110(f)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Transportation  
Section 16–206.2  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 26–305(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 272 – Senators Currie, DeGrange, Kasemeyer, McFadden, Peters,  
and Robey**

**EMERGENCY BILL**

AN ACT concerning

**State Lottery Agency – Tickets – Electronic Devices Connected to the  
Internet**

FOR the purpose of prohibiting the Director of the State Lottery Agency, unless authorized by the General Assembly, from adopting regulations that would allow a person to purchase a State lottery ticket through an electronic device that connects to the Internet; making this Act an emergency measure; and generally relating to the State Lottery Agency.

BY repealing and reenacting, with amendments,

Article – State Government  
Section 9–110  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 273 – The President (By Request – Administration) and Senators Benson, Colburn, DeGrange, Dyson, Edwards, Ferguson, Forehand, Garagiola, Jacobs, Jones–Rodwell, Kelley, Klausmeier, Madaleno, Manno, Mathias, Miller, Montgomery, Peters, Pugh, Ramirez, Raskin, Robey, Stone, and Young**

AN ACT concerning

### **Veterans Full Employment Act of 2013**

FOR the purpose of requiring certain licensing units and boards to give credit to certain former service members for relevant military training, education, and experience in connection with the issuance of certain occupational and professional licenses, certificates, and registrations; repealing and recodifying certain provisions of law regarding the renewal of certain occupational or professional licenses and the completion of continuing education or continuing competency requirements for certain members of an armed force deployed outside the State; requiring certain licensing units and boards to issue a temporary expedited license, certification, or registration to certain individuals under certain circumstances; authorizing certain licensing units and boards to issue a temporary license under certain circumstances; authorizing certain health occupations boards to apply to the Secretary of Health and Mental Hygiene for consideration of an alternate process of expedited licensing, certification, or registration under certain circumstances; requiring the State Superintendent of Schools to expedite educator certification under certain circumstances; authorizing the State Superintendent of Schools to issue a temporary educator certificate under certain circumstances; requiring certain licensing units and boards and the State Department of Education to publish certain information on a certain Web site; authorizing certain licensing units and boards, the Commissioner of Financial Regulation, and the State Board of Education to adopt certain regulations; requiring the Maryland Higher Education Commission to develop and adopt certain guidelines regarding the awarding of academic credit for military training, coursework, and education; requiring public institutions of higher education to develop and implement certain policies in accordance with the guidelines adopted by the Commission; requiring that certain reports on the implementation of this Act be submitted to the Governor and the General Assembly on or before a certain date; and generally relating to occupational and professional licensing requirements and the crediting, for certain purposes, of certain training, experience, and education of service members, veterans, and military spouses.

BY repealing

Article – Business Regulation  
Section 2–111  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Regulation  
Section 2.5–101 through 2.5–108 to be under the new title “Title 2.5. Service  
Members, Veterans, and Military Spouses – Licensing”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education  
Section 6–101.1, 13–516(b–1), and 15–113  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Education  
Section 10–101(c) and 13–501(f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Financial Institutions  
Section 11–612.2  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health Occupations  
Section 1–701 through 1–706 to be under the new subtitle “Subtitle 7. Service  
Members, Veterans, and Military Spouses – Licensing”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 274 – The President (By Request – Administration) and Senators  
Currie, Ferguson, Forehand, Frosh, Jones–Rodwell, Kelley, King,  
Klausmeier, Madaleno, Middleton, Montgomery, Peters, Pinsky, Pugh,  
Ramirez, Raskin, Robey, Rosapepe, Stone, and Young**

AN ACT concerning

**Maryland Health Progress Act of 2013**

FOR the purpose of altering certain eligibility requirements for the Maryland Medical Assistance Program and a certain definition to conform to federal eligibility requirements; requiring the Department of Health and Mental Hygiene to implement certain provisions of federal law, subject to the limitations of the State budget; repealing an obsolete provision of law that requires the Governor to include certain funding in the State budget; expanding the purposes for which funds generated from a certain assessment may be used to include providing funding for a certain reinsurance program; exempting the Maryland Health Benefit Exchange (Exchange) and its employees from certain provisions of law governing third party administrators; expanding the purposes for which the Maryland Health Insurance Plan Fund may be used to include funding a certain reinsurance program; requiring enrollment in the Maryland Health Insurance Plan (Plan) to be closed to certain individuals not enrolled in the Plan as of a certain date; requiring the Board of the Plan, in consultation with the Exchange, to determine the appropriate date on which the Plan must decline reenrolling Plan members; requiring the Plan Administrator to deposit certain money in a certain separate account and to keep certain records; authorizing the transfer, under certain circumstances, of certain money in the separate account to the Maryland Health Benefit Exchange Fund for the purpose of funding a certain reinsurance program; requiring the Board of the Plan and the Board of Trustees of the Exchange to develop and approve a plan for the amount and timing of the use of certain funds for a certain reinsurance program; establishing the purpose and effect of certain provisions of this Act; requiring certain carriers and managed care organizations to accept a prior authorization from certain carriers and managed care organizations under certain circumstances; requiring certain carriers and managed care organizations to allow a new enrollee to continue to receive certain health care services being rendered by a certain provider under certain circumstances; requiring certain providers and certain carriers or managed care organizations to agree on the compensation rates and methods of payment with respect to the provision of certain services; specifying certain requirements for the agreement; providing that if an agreement is not reached, the provider is not required to continue to provide the services and the carrier or managed care organization is not required to allow the services to be provided by the provider; providing that the requirements of certain provisions of this Act are in addition to any other legal, professional, or ethical obligations of a carrier or managed care organization to provide continuity of care; authorizing the Maryland Insurance Commissioner and the Secretary of Health and Mental Hygiene to each adopt regulations to enforce certain provisions of this Act; requiring the Commissioner, the Secretary, and the Exchange to determine the data necessary to make a certain assessment and develop a certain process and to request the data from certain persons; establishing that it is a fraudulent insurance act for a SHOP Exchange navigator or an Individual Exchange navigator to take certain actions or make

certain representations under certain circumstances; exempting the Exchange from certain insurance laws; requiring a carrier, under certain circumstances, to retain responsibility for ensuring that certain consumer protections are afforded to certain employers and enrollees; expanding the purposes of the Maryland Health Benefit Exchange Fund to include providing funding for the establishment and operation of a certain reinsurance program; altering the contents of the Fund; requiring the Board of Trustees of the Exchange to maintain certain accounts within the Fund; requiring the Board of Trustees to establish a trust account for a certain purpose; requiring the Board of Trustees to maintain separate records of account for certain carriers; requiring the Governor, for certain fiscal years, to provide an appropriation in the State budget adequate to fully fund the operations of the Exchange; requiring the appropriation to be allocated from a certain premium tax; authorizing a certain deficiency appropriation; requiring certain funds to revert to the General Fund of the State; providing that a certain employer is not required to contribute to the qualified plan premiums of its employees; requiring a certain employer to take certain actions if the employer chooses to contribute to the qualified premiums of its employees; authorizing the Exchange to establish a Consolidated Services Center (Center); applying certain provisions of law that require certain training for SHOP Exchange navigators to certain employees of the Center; authorizing an Individual Exchange navigator to be employed by the Exchange; requiring the Exchange to establish and administer a process for the issuance of Consolidated Services Center employee Individual Exchange enrollment permits; authorizing the Exchange to implement a certain process with certain assistance; applying certain provisions of law that require certain training for Individual Exchange navigators to certain employees of the Center; authorizing the Center to employ certain individuals; specifying the qualifications that must be met for issuance of a SHOP Exchange enrollment permit and an Individual Exchange enrollment permit; altering the requirements that must be met for a health benefit plan to be certified as a qualified health plan; authorizing the Exchange to deny certification to certain plans or suspend or revoke certification of certain plans under certain circumstances; authorizing the Exchange, in addition to denying, suspending, or revoking certification, to impose certain other remedies or take other actions; authorizing the Exchange, in consultation with the Maryland Health Care Commission and with the approval of the Commissioner, to establish a certain reinsurance program to take effect on or after a certain date; establishing the purpose of the program; authorizing the Exchange, with the approval of and in collaboration with the Board of the Plan, to use certain revenue to fund the program; altering the circumstances under which the Board of Trustees of the Exchange must cooperate with certain investigations; declaring the intent of the General Assembly; requiring the Exchange, the Department of Health and Mental Hygiene, and the Maryland Insurance Administration to conduct a certain study and report to the Governor and the General Assembly on the findings of the study and certain recommendations on or before a certain date; defining certain terms; altering certain definitions; providing for the effective

dates of this Act; and generally relating to health insurance regulation and the Maryland Health Benefit Exchange.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 15–101(a) and 19–214(a) through (c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–101(d–1), 15–103(a), and 19–214(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 8–301(a) and 31–101(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 8–301(b), 14–502, 14–504, 27–405(a), 31–103, 31–107, 31–111,  
31–112(h), 31–113(h), (i), and (k)(1) and (2), 31–115(b), 31–117, and  
31–119(e)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Insurance  
Section 15–140, 31–101(c–1), 31–107.1, 31–107.2, 31–113.1, and 31–115(k)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 275 – The President (By Request – Administration) and Senators Astle, Benson, Currie, Ferguson, Forehand, Frosh, Garagiola, Kasemeyer, King, Klausmeier, Madaleno, Mathias, McFadden, Middleton, Miller, Montgomery, Peters, Pinsky, Ramirez, Raskin, Robey, Rosapepe, Stone, and Zirkin**

AN ACT concerning

**Maryland Offshore Wind Energy Act of 2013**

FOR the purpose of altering the Maryland renewable energy portfolio standard program to include a certain amount of energy derived from offshore wind energy; prohibiting the portion of the renewable energy portfolio standard that represents offshore wind energy from applying to certain sales in excess of a certain amount of industrial process load and certain sales in excess of a certain amount of electricity sold to certain customers who are owners of agricultural land; altering the definition of “renewable energy credit” for purposes of the renewable energy portfolio standard program; requiring an electricity supplier to exclude certain retail electricity sales before calculating the number of credits required under the renewable portfolio standard; providing that certain provisions concerning the transfer of renewable energy credits do not apply to certain offshore wind renewable energy credits; authorizing a person to submit to the Public Service Commission an application for approval of a proposed offshore wind project after the effective date of certain regulations; requiring the Commission to open a certain application period and provide certain notice under certain circumstances; authorizing the Commission to provide for additional application periods; requiring the Commission to approve, conditionally approve, or deny an application within a certain time; providing for the contents of an application; requiring the Commission to use certain criteria to evaluate and compare proposed offshore wind projects; prohibiting the Commission from approving an offshore wind project unless certain criteria are met; requiring the Commission to contract for the services of independent consultants and experts when evaluating and comparing proposed offshore wind projects and when calculating a proposed offshore wind project’s net benefits to the State; requiring the Commission to verify that representatives of the United States Department of Defense and the maritime industry have had a certain opportunity to express concerns regarding certain project siting; requiring an applicant to take certain steps if the applicant is seeking investors in a proposed offshore wind project; requiring the Governor’s Office of Minority Affairs, in consultation with the Attorney General, to provide certain assistance to potential applicants and minority investors; requiring the Commission to apply the same net cost per megawatt-hour to residential and nonresidential customers when calculating certain rate impacts; incorporating certain findings and evidence associated with a certain Minority Business Enterprise Program; requiring that approved applicants comply with the Minority Business Enterprise Program; prohibiting the Commission from approving an application until certain goals and procedures are established; requiring that an order approving a proposed offshore wind project include certain information, restrictions, and conditions; providing that a certain order vests the owner of a qualified offshore wind project with a certain right; requiring a qualified offshore wind project to deposit a certain amount into a certain fund at certain times; requiring the Commission to determine the offshore wind energy component of the renewable portfolio standard based on certain projections and requiring electricity suppliers to purchase a certain number of offshore wind renewable energy credits; requiring the Commission to adopt regulations establishing a certain escrow account; requiring a certain overpayment to be

refunded to ratepayers, subject to certain reserve requirements, under certain circumstances; requiring a qualified offshore wind project to sell certain energy, capacity, and ancillary services into certain markets and distribute the proceeds to electric companies to be refunded or credited to ratepayers; requiring the Commission to adopt certain regulations regarding the creation of excess offshore wind renewable energy credits; authorizing the Commission to extend the term of an OREC pricing schedule for a certain amount of time under certain circumstances; stating that an OREC transaction that takes place during an extended OREC term is subject to certain provisions and regulations applicable to the original OREC order; providing that certain provisions regarding certain compliance fees do not apply to a shortfall from the offshore wind renewable energy credit requirement; reducing a certain fee for industrial process load under certain circumstances; providing that certain provisions authorizing a delay of certain scheduled Tier 1 credits do not apply to offshore wind renewable energy credits; exempting certain energy lines from a certain prohibition on construction or installation in a beach erosion control district under certain circumstances; providing that an application for a certificate of public convenience and necessity to construct certain energy lines is subject to certain review; prohibiting the Commission from approving an application for the construction or installation of certain energy lines within a certain area; requiring the Commission to provide certain notice to the Maryland Energy Administration for certain purposes; authorizing the Commission to implement a special assessment not to exceed a certain amount in certain fiscal years for certain purposes; requiring the transfer of certain funds to the Commission in certain fiscal years for certain costs and authorizing the Commission to implement a special assessment in certain fiscal years to recover certain costs; establishing a Maryland Offshore Wind Business Development Fund in the Maryland Energy Administration; authorizing the Fund to provide certain financial assistance, business development assistance, and employee training opportunities; stating the purpose and providing for the administration of the Fund; establishing the Maryland Offshore Wind Business Development Advisory Committee; requiring the Advisory Committee to make certain recommendations regarding the use of money in the Fund; requiring a certain transfer from a certain fund to the Fund; adding the Fund to the list of exceptions to the requirement that the earnings of special funds accrue to the General Fund; defining certain terms; making stylistic changes; requiring the Commission to open a certain evidentiary proceeding to evaluate a certain application; making the provisions of this Act severable; repealing an obsolete provision; providing for the termination of a portion of this Act under a certain circumstance; providing for the termination of certain provisions of this Act; and generally relating to the Maryland renewable energy portfolio standard program, development of offshore wind energy projects, and qualified submerged renewable energy lines.

BY repealing and reenacting, with amendments,  
Article – Public Utilities



Section 7–208, 7–701, 7–703, 7–704(a)(2)(i), (3), and (4), (c)(3), and (e), and  
7–705(b) and (f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Public Utilities  
Section 7–704.1 and 7–704.2  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–705(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–1102  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – State Government  
Section 9–20C–01 through 9–20C–04 to be under the new subtitle “Subtitle 20C.  
Maryland Offshore Wind Business Development Fund”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)69. and 70.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)71.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–704.1(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 276 – The President (By Request – Administration) and Senators Gladden, Raskin, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, and Rosapepe**

AN ACT concerning

**Death Penalty Repeal and Appropriation from Savings to Aid Survivors of Homicide Victims**

FOR the purpose of repealing the death penalty; repealing procedures and requirements related to the death penalty; providing that in certain cases in which the State has filed a notice to seek a sentence of death, the notice shall be considered withdrawn and it shall be considered a notice to seek a sentence of life imprisonment without the possibility of parole under certain circumstances; providing that certain persons serving life sentences are not eligible for Patuxent Institution under certain circumstances; altering the circumstance concerning parole for persons serving life sentences when the State sought a certain penalty; requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount for the State Victims of Crime Fund; making conforming and clarifying changes; and generally relating to the repeal of the death penalty.

BY repealing  
Article – Correctional Services  
Section 3–901 through 3–909 and the subtitle “Subtitle 9. Death Penalty Procedures”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Criminal Procedure  
Section 7–201 through 7–204 and the subtitle “Subtitle 2. Proceedings After Death Sentences”; 8–108 and 11–404  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 4–101(e)(2), 4–305(b)(2), 6–112(c), 7–301(d)(2), and 7–601(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 3–8A–03(d)(1), 3–8A–06(a), 8–404, 8–420, 9–204, and 12–307

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 3–105(b), 3–106(a), 3–107(a), 4–204(b), 5–101(c), 7–101, 7–103(b),  
7–107(b), and 11–916

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing

Article – Criminal Law

Section 2–103(h), 2–202, 2–301, 2–303; and 2–401 and the subtitle “Subtitle 4.  
Review by Court of Appeals”

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 2–201(b), 2–304(a), 2–305, and 14–101

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 8–505(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–812(a)

Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 277 – The President (By Request – Administration) and Senators Benson, Currie, Miller, Peters, Pinsky, Ramirez, and Rosapepe**

AN ACT concerning

**State Aid for Public Education – Certification of Net Taxable Income**

FOR the purpose of altering the definition of “net taxable income” for purposes of calculating certain State aid formulas for education; requiring the Comptroller to certify annually the amount of net taxable income in a certain manner; requiring certain State aid to be calculated in a certain manner; requiring certain State aid to be paid in a certain manner under certain circumstances; providing for the application of this Act; and generally relating to the certification of net taxable income for the purposes of certain State aid for education funding.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–202(a)(1) and (14)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(a)(9)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Education  
Section 5–202(k)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 278 – The President (By Request – Administration) and Senators Klausmeier, Kasemeyer, Miller, Currie, DeGrange, Ferguson, Forehand, Garagiola, King, Madaleno, Manno, McFadden, Middleton, Montgomery, Peters, Ramirez, Robey, and Young**

AN ACT concerning

**Maryland Employment Advancement Right Now (EARN) Program**

FOR the purpose of establishing the Maryland Employment Advancement Right Now (EARN) Program (Maryland EARN Program) in the Department of Labor,

Licensing, and Regulation (Department); requiring the Department, in consultation with the Department of Business and Economic Development and the Governor's Workforce Investment Board, to establish and administer the Program to provide certain grants on a competitive basis for certain purposes; requiring applications for certain grants under the Program to include certain information; authorizing certain grants to be awarded in a certain manner; requiring the grant process to give priority to certain strategic industry partnerships; authorizing the Department to adopt certain regulations; requiring the Department to monitor certain grants; authorizing the Department to impose certain requirements on certain recipients of certain grants and to revoke certain grants under certain circumstances; requiring the Department, in consultation with the Department of Budget and Management to develop and implement a certain State employment advancement strategy; requiring the Department, in consultation with the Department of Business and Economic Development and the Department of Information Technology to develop a certain Web site; providing for the funding of the Program; requiring the Department to submit a certain annual report; requiring the Department to convene a certain working group; requiring the Department to provide certain individuals with certain information; defining certain terms; and generally relating to the establishment of the Maryland Employment Advancement Right Now (EARN) Program.

BY adding to

Article – Labor and Employment

Section 11–701 through 11–710 to be under the new subtitle “Subtitle 7.  
Maryland Employment Advancement Right Now Program”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 279 – The President (By Request – Administration) and Senators Raskin, Benson, Conway, Ferguson, Forehand, Frosh, Garagiola, King, Klausmeier, Madaleno, Pinsky, Pugh, Rosapepe, Young, and Zirkin**

AN ACT concerning

### **Election Law – Improving Access to Voting**

FOR the purpose of providing an exception to the voter registration deadline to allow an individual to register to vote or update an existing voter registration address and vote during early voting; requiring proof of residency to register or update an existing voter registration address during early voting; providing the types of acceptable proof; requiring the State Board of Elections to adopt regulations and establish procedures for the administration of voter registration during early voting; providing for certain methods of requesting an absentee ballot, including through the use of an online application; requiring a local board of elections to

provide a voter with an absentee ballot in the manner requested by the voter; requiring the State Board to provide an optional online ballot marking tool; specifying certain certification requirements for the ballot marking tool; authorizing an absentee ballot to be sent by the Internet or facsimile transmission and requiring certain information to be provided with the ballot; altering the number of early voting centers for a county with a certain number of registered voters; altering the dates and times for early voting during certain elections; and generally relating to election law and improving access to voting.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–302, 9–305, 9–306, 9–308, 9–310, and 10–301.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 3–305

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 280 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**Landscape Architects – License Renewal – Continuing Professional  
Competency Requirement**

FOR the purpose of requiring the State Board of Examiners of Landscape Architects to adopt regulations to require a licensee to demonstrate continuing professional competency by completing a certain number of hours of professional development activities as a condition of renewal of a license to practice landscape architecture; providing for the implementation of the continuing professional competency requirement on a phased-in basis; and generally relating to licenses issued by the State Board of Examiners of Landscape Architects.

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

Section 9–309

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 281 – The President (By Request – Administration) and Senators Benson, Conway, Currie, Ferguson, Forehand, Frosh, Kelley, King, Madaleno, Manno, Montgomery, Peters, Pinsky, Ramirez, Raskin, Robey, Rosapepe, Young, and Zirkin**

AN ACT concerning

**Firearm Safety Act of 2013**

FOR the purpose of altering the authorization for a person to wear, carry, or transport a handgun to be within certain limitations; designating certain firearms as assault weapons; prohibiting, with certain exceptions, a person from transporting an assault weapon into the State or possessing, selling, offering to sell, transferring, purchasing, or receiving an assault weapon; authorizing certain licensed firearms dealers to continue to possess, sell, offer for sale, or transfer assault long guns or copycat weapons under certain circumstances; authorizing certain persons to continue to possess assault long guns or copycat weapons under certain circumstances; altering the maximum capacity of rounds of ammunition allowable to be manufactured, sold, offered for sale, purchased, received, or transferred for a firearm; making it a misdemeanor to use an assault long gun or a copycat weapon or a magazine that exceeds a certain maximum capacity of rounds of ammunition in the commission of a felony or a crime of violence; requiring a certain hearing officer, after making a certain determination, to order certain individuals to surrender firearms in the individual's possession under certain circumstances; prohibiting a certain person from selling, purchasing, renting, transferring, or receiving a certain regulated firearm unless the person presents or possesses a certain handgun qualification license issued by the Secretary of State Police; establishing certain requirements and procedures for the issuance and renewal of a certain handgun qualification license; authorizing the Secretary to revoke a certain handgun qualification license under certain circumstances; requiring a certain person to return a certain handgun qualification license under certain circumstances; requiring certain fees; requiring a certain licensee or designated law enforcement agency to transfer a certain firearm application to the Secretary in an electronic format; authorizing a certain hearing for a certain aggrieved person under certain circumstances; altering the circumstances under which a person is prohibited from possessing a certain regulated firearm; making it a misdemeanor for a certain person to possess certain ammunition if the person is prohibited from possessing a certain firearm under certain circumstances; establishing certain penalties; requiring certain persons to provide certain data about a certain person to a certain federal index in a certain manner under certain circumstances; authorizing a certain person who is subject to certain prohibitions from possessing certain firearms to apply for certain relief from

certain prohibitions under certain circumstances; establishing the procedures and requirements for a person who is subject to certain prohibitions on the possession of certain firearms to apply for certain relief for certain prohibitions; requiring certain persons to enter into a certain memorandum of understanding; requiring a person who moves into the State for the purpose of establishing residency to register certain firearms within a certain time period with the Secretary in a certain manner; providing that certain information is not open to public inspection; prohibiting a certain person from possessing a rifle or shotgun under certain circumstances; requiring a certain applicant for a certain firearm permit to complete a certain firearm training course under certain circumstances; exempting a certain applicant for a permit from a certain training requirement under certain circumstances; defining certain terms; and generally relating to firearms.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–203(b) and 4–301 through 4–306  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Health – General  
Section 10–632(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–101, 5–118(b)(2) and (3), 5–120, 5–133, 5–143, 5–205, 5–206, 5–301,  
and 5–306  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Public Safety  
Section 5–117.1, 5–118(b)(4), 5–133.1, 5–133.2, 5–133.3, and 5–143  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Public Safety  
Section 5–119  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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



**INTRODUCTION OF JOINT RESOLUTIONS****Senate Joint Resolution 1 – Senators Jones–Rodwell, Benson, Conway, Garagiola, Klausmeier, Madaleno, Peters, and Pugh**

A Senate Joint Resolution concerning

**International Education – Support**

FOR the purpose of urging the Maryland Higher Education Commission, the Maryland Independent College and University Association, and the Maryland Association of Community Colleges to support and encourage students and faculty to promote international education as a part of curricular and extracurricular life at colleges and universities in the State; and generally relating to the support of international education as a part of curricular and extracurricular life at colleges and universities in the State.

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

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #1**

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

**Senate Bill 73 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Vehicle Laws – Piling, Poles, Mill Logs, and Similar Cargo – Length, Overhang, and Fastening Standards**

**SB0073/918670/1**

BY: Judicial Proceedings Committee

**AMENDMENT TO SENATE BILL 73**

(First Reading File Bill)

On page 1, in line 11, after “cargo;” insert “making this Act an emergency measure;”.

On page 8, strike beginning with “That” in line 30 down through “2013” in line 31 and substitute “That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #2**

**Senate Bill 65 – Chair, Finance Committee (By Request – Departmental – Workers’ Compensation Commission)**

AN ACT concerning

**Workers’ Compensation – Claim Processing – Electronic Delivery of Decisions**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 39)

The Bill was then sent to the House of Delegates.

**Senate Bill 85 – Chair, Finance Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Maryland Port Commission – Management Personnel Appointments – Operating and Managing Port Facilities**

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

Affirmative – 43    Negative – 0    (See Roll Call No. 40)

The Bill was then sent to the House of Delegates.

## **PRESENTATION HONORING THE REVEREND MARTIN LUTHER KING, JR.**

Presentation given by Senator Joanne C. Benson.

*I refuse to accept the idea that the isness of my present nature makes me morally incapable of reaching up to the oughtness which forever confronts me. I believe unarmed truth and unconditional love will have the final say in reality.*

Dr. Martin Luther King, Jr.  
Why We Can't Wait

### **What a day! What a weekend! Now here I am!**

Good evening Mr. President, wonderful staff, colleagues, family, visitors, Lodie, Dottie and everybody. I first “Thank God” for the opportunity to stand here to deliver such an important speech. And so I count it a joy, my esteemed pleasure to stand here tonight in celebrating the 84th birthday of a man born January 15, 1929, in Atlanta, Georgia. Martin Luther King – a family man, a preacher, a scholar, a gifted orator, a prolific writer, a warrior, an activist, a friend, A Drum Major for Justice.

All of us know his story. We’ve heard it over and over again. It was love, a strong religious conviction, a vision, an excellent education which were the driving forces and the strong common threads in the Martin family. His mother, father, grandmother, neighbors, church, school, community were a part of “the village.” Dr. King valued life. He wanted better opportunities and a level playing field for all people especially America’s children. He was a dreamer – a disciple of non–violence and he wanted the walls of racism, bigotry, segregation to come down and in their place should be respect, peace, love, tolerance, fairness and prosperity for all. In an eleven year period between 1952 and 1958, Dr. King travelled over six million miles and spoke over 25 hundred times. He appeared where there was an injustice. He was not interested in fame or fortune, drove an old car, gave the \$54,000 dollars he received from the Nobel Peace Prize to the Southern Christian Leadership Conference and despite the fact that his home was bombed, he was jailed, he was stabbed and his life was threatened, Martin Luther King continued his fight and his dream. On April 4th, 1968, Dr. King gave his life working for equality, better wages and working conditions for garbage workers in Memphis, Tennessee.

Dr. King is gone but not forgotten. He lives on in vision, spirit and example. When we sing “We Shall Overcome”, the locking of arms and holding of hands is a symbol which sends a deep profound message – “We must get serious about and do more in following his example which should lead to freedom and justice for all.”

When the Civil Rights Movement was in full swing during the late 50's and early 60's, it was my honor to participate. I attended workshops with Dr. King in Washington, DC and participated in the Route 1 and Route 40 sit-ins and demonstrations here in Maryland. One day I complained about the heat and hard benches we sat on with no backs. Putting his finger to the side of his face, he said "Daughter, there is a reason for sitting in the heat and sitting on these benches. You must never be comfortable with the status quo. Sit up and stand up because no one can ride your back when you're standing tall!"

As I reflect on the days of sit-ins, our struggles, working to make this a better world for future generations, I often wonder how Dr. King would view and feel about the progress we've made here in Maryland.

Dr. King would be happy to know we have an African American Lt. Governor. He would be happy to see the number of African Americans and women in elected positions. He would be glad that every child in Maryland can be educated and pursue their dreams. He would be thankful that every child in our state has access to health insurance and health care and there will be no excuse for another Damonte Driver in our state.

He would be extremely impressed with the diversity of the people in our state which has been a strong contributing factor to our success. He would rejoice in knowing we rank at the top in education and income. He would be glad to know about the advances in technology and research taking place to find a cure for cancer. By the way, I am a 27 year cancer survivor and this means a lot to me personally. He would also be impressed with the research to fund a cure for other diseases which are wreaking havoc in our communities. He would jump for joy at the significant reduction in crime. He would be overwhelmed with joy that we are getting more serious about guns in our community. He would applaud and embrace the many unselfish passionate volunteers who are creating safe havens for our children – those who come here from organizations to plead the case for the homeless, hopeless, helpless, the children, the seniors, the disabled, the veterans, the mentally ill, the forgotten, those who can't speak for themselves.

However, Dr. King would be deeply saddened at the number of African Americans and minorities who are incarcerated in this state. Even more shocking are the number of those who have no job or opportunity when they complete their sentence and so they end up going back to prison.

Dr. King would actively be involved with the repeal of the death penalty. He would be concerned about the number of children and people who are living in poverty, who go to bed hungry, who are not able to perform academically because of conditions beyond their control, thus they end up dropping out of school.

How on earth could this "Giant for Peace" sit quietly and do nothing about the safety of our children on the street and in our schools. I'm an educator – been there, done that. It's a shameful despicable thought to have our teachers who are already

overworked and underpaid to be police officers carrying guns. I know what those in the trenches have to do. The only peace many of our children find, see and feel is in the school.

This is not a “feel good holiday!” All of us must sit down and reflect on the principles for which Dr. King stood. The American Dream as Dr. King saw it is one which understands that our strength in this state and country is rooted in our diversity. An environment characterized by a devotion to the public interest, public service, tolerance, and unconditional love are the only things that will truly save us. Working and legislating for money and power won’t save our soul or help us sleep at night.

Listen! Every year around this time we all sing “We Shall Overcome.” We can’t keep on singing without putting a plan in place to help us move to equality, equity and to the “Mountain Top” so that we all can in fact overcome. When the communities of the poor, the working class, the Black, White, Jews, Hispanics, Asians, Indians, and all ethnic groups prosper, so does the entire state. A rising tide lifts all ships. You can’t keep me down unless you’re down yourself.

All of us have something valuable to bring to the table of prosperity. Tomorrow may be too late for those who have no benefits, for those who have indefinite lay-offs, for overcrowded schools with educators who are asked to do more with less, for those who need help for drugs, alcohol, mental health treatment but have no place to go.

The time is now for those of us who truly and sincerely believe in the vision of Dr. King and the thousands of people who recognize that we either work together as people and human beings or perish as a state and nation to realize that life, liberty, and the pursuit of happiness are the American Dream and every citizen should have an equal chance to be a part of it. As we deliberate in these hallowed halls, I pray that we will remember the real dream that had little to do with the greedy but the needy. The real dream was about prosperity and growing strength in all segments of America. We’re in this boat together. Either we sink or swim. If not us, who? If not now, when? I’m a product of the Martin Luther King era. His principles and beliefs are mine – not because of him, but because they’re right. What you decide to do this year and the future will set the pace for the next generation long after we are gone. We only have a minute – not long. For eternity is in it.

**I shall pass this way but once.  
Any service I can render to a  
suffering man, woman or child or one  
in need, let me do it now. For  
I shall not pass this way again.**

May God Bless You, this Great State known as America in Miniature and our Beloved United States.

Thank you.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 41)

**ADJOURNMENT**

At 8:47 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 22, 2013 in memory of Earl Weaver.

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**Annapolis, Maryland**  
**Tuesday, January 22, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:08 A.M.

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

(See Exhibit A of Appendix III)

The Journal of January 18, 2013 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 43)

**INTRODUCTION OF BILLS**

**Senate Bill 282 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Video Lottery Facilities – Employee Licenses – Crimes of Moral Turpitude or Gambling**

FOR the purpose of limiting the requirement that the State Lottery Commission deny a video lottery employee license to an applicant convicted for a crime involving moral turpitude or gambling to those applicants convicted, paroled, or on probation for the crime within a certain prior period; and generally relating to video lottery employee licenses.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–14  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 283 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Curative Bill**

FOR the purpose of generally curing previous Acts of the General Assembly with possible title defects; requiring the State Department of Education or the Governor to appoint a member of the Maryland Advisory Council for Virtual Learning in the event of a vacancy; prohibiting a member of the Council from receiving compensation but authorizing the reimbursement of certain expenses; providing for the effect and construction of certain provisions of this Act; making this Act an emergency measure; and generally repealing and reenacting without amendments certain Acts of the General Assembly that may be subject to possible title defects in order to validate those Acts.

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 4A–601 through 4A–606.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 7–10B–04  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–206(j)(1)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Estates and Trusts  
Section 13–324  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 8–704.1 and 8–1808.2(d)



Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Chapter 485 of the Acts of the General Assembly of 2009, as amended by  
Chapter 483 of the Acts of the General Assembly of 2010 and Chapter 444  
of the Acts of the General Assembly of 2012  
Section 1(3) Item QB08.02(A)

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

**Senate Bill 284 – The President (By Request – Department of Legislative Services)**

EMERGENCY BILL

AN ACT concerning

**Annual Corrective Bill**

FOR the purpose of correcting certain errors and omissions in certain articles of the Annotated Code and certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; ratifying certain corrections made by the publishers of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for the effect and construction of certain provisions of this Act; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(p)(3)(ii)2. and (iii)2., 7–101(p–1)(11)(i)2., 8–216(a)(5), (6), and (7),  
9–217(d) and (e)(5), and 10–103(b)(9)(iii) and (iv)3.  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing  
Article 41 – Governor – Executive and Administrative Departments  
Section 18–202  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article 95 – Treasurer  
Section 22F(c)(3) and (d)(2)  
Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 5–207(h)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Occupations and Professions

The subtitle designation “Subtitle 2. Superintendent” immediately preceding §  
13–201; and Section 17–405 and 17–410(b)(2)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Business Occupations and Professions

Section 13–201

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 12–301(f)(1), 16–222(a), and 16.5–216(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 4–104(a)(4)

Annotated Code of Maryland

(2002 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 4A–606(3)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 11–504(h)(3)

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–304(c)(2)(iv), 3–306(c)(2)(iv), 3–907, 5–621(a)(2), and 10–119(g)(4)  
and (5)

Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 4–115(c)(1)(iii), 11–202(a)(3), and 18–1502(c) and (d)

Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 11–203(d)(2)(iii)2.B.

Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)  
(As enacted by Chapter 596 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–243(a)

Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 5–203.1(b)(1) and (c)(5)

Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)  
(As enacted by Chapter 142 of the Acts of the General Assembly of 2008)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–206(c), (f), (g)(1)(iv), and (k)

Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)  
(As enacted by Chapter 149 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–1605.2(h)(2)(i)1.D. and E. and 14–508(b)(2)

Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–321(a)(3)(iii), 5–339(a)(3)(v); the part designation “Part II. Adoption Proceeding” immediately preceding Section 5–3B–12; the part designation “Part IV. Prohibited Act” immediately preceding Section 5–3B–32; 14–305(3) and 14–307(a)

Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Family Law  
Section 5–3B–12 and 5–3B–32(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 18–901(f)(1), 18–1001(4), 19–1801(2)(i), 20–111(b), and 21–2A–01(g)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 8–6A–05(c)(3), 9–314.2(b)(2), 12–407(e), and 14–5B–05(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 31–103(a)(2)(i) and 31–113(m)(3)(i)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 9–206(b)(5)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Land Use  
Section 1–501, 1–507(a), 1–509(a)(1), and 5–104(e)(1)  
Annotated Code of Maryland  
(2012 Volume)  
(As enacted by Chapter 149 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,

Article – Land Use  
Section 18–207(d)(2)

Annotated Code of Maryland  
(2012 Volume)  
(As enacted by Chapter 426 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–1017(c) and 4–11B–01(b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 10–104(d)(2)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 11–125(f)(4)(i)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 5A–303(a)(16) and (17) and (b)(1)(iii), 6–222(a)(5), 12–111(a)(3)(ii), and  
12–301(b)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–06(d) and 10–617(b)(4)(ii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 1–305  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–202(b) and 4–105(a–1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)  
(As enacted by Chapter 603 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–208(a)(4) and 12–117(c)(5)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–701(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 11–127.2(a)(2)(ii)1.A. and (b)(2)(i)1., 16–122(a)(1)(i)3., and 26–404(d)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–205.1(a)(1)  
Annotated Code of Maryland  
(2012 Replacement Volume)  
(As enacted by Chapters 4 and 5 of the Acts of the General Assembly of 2001)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 24–111.3(b)(3)  
Annotated Code of Maryland  
(2012 Replacement Volume)  
(As enacted by Chapters 375 and 376 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, with amendments,  
Chapter 545 of the Acts of the General Assembly of 2012  
Section 3

BY repealing and reenacting, with amendments,  
Chapter 570 of the Acts of the General Assembly of 2012  
Section 7(e)(2)(ii)1.

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

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #1**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 53 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – Administrative Review of Contested Cases**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 59 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Fish and Fisheries**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 60 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Housing and Community  
Development)**

AN ACT concerning

**Community Development Administration – Residential Mortgage Loans –  
Financial Assistance for Families of Limited Income**

**SB0060/654136/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 60  
(First Reading File Bill)

On page 2, in line 6, strike “**4-235(B)(2)**” and substitute “**4-235(B)(1)(II)**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 62 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Housing and Community  
Development)**

AN ACT concerning

**Community Legacy Program – Application Requirements – Approval by  
Authorized Designee**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 64 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Controlled Hazardous Substance Vehicles – Display of Certificates**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #2**



Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 54 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Scholarship Funds – Technical Alterations**

**SB0054/564932/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 54  
(First Reading File Bill)

On page 6, in line 15, strike “(3)” and substitute “**(6)**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 55 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Higher Education Commission)**

AN ACT concerning

**Private Career Schools – Solicitor Permits – Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 56 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Unauthorized Institutions of Postsecondary Education – Transcripts,  
Diplomas, and Grade Reports – Penalties**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 63 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Institutional Renewal Fees and  
Religious Educational Institutions**

**SB0063/684838/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 63

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “education;” insert “requiring the revenues from certain fees to be distributed to a certain fund;”.

AMENDMENT NO. 2

On page 2, in line 9, after “application” insert “AND RENEWAL”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON FINANCE REPORT #3**

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 4 – Senator Pugh**

AN ACT concerning

**State Personnel – Applicants for Employment – Criminal History Records Checks**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 80 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Public Health – Prescription Drug Monitoring Program – Disclosure of Prescription Monitoring Data**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 81 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Education and Workforce Training Coordinating Council for Correctional Institutions – Membership**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 82 – Chair, Finance Committee (By Request – Departmental –  
Labor, Licensing and Regulation)**

AN ACT concerning

**Elevator Safety Review Board – Third-Party Inspectors – Certification**

**SB0082/417179/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 82

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Review Board”.

AMENDMENT NO. 2

On page 3, in line 27, after “ORGANIZATION” insert “ACCREDITED BY THE NATIONAL COMMISSION FOR CERTIFYING AGENCIES”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 83 – Chair, Finance Committee (By Request – Departmental –  
Aging)**

AN ACT concerning

**Department of Aging – Aging and Disability Resource Center Program –  
Maryland Access Point**

**SB0083/647371/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 83

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “INDIVIDUALS” in line 6 down through “DISABILITIES” in line 7 and substitute “OLDER ADULTS AND INDIVIDUALS WITH DISABILITIES”.

AMENDMENT NO. 2

On page 3, in line 3, after “DISABILITIES” insert “, THE DEPARTMENT OF HUMAN RESOURCES, THE GOVERNOR’S OFFICE OF THE DEAF AND HARD OF HEARING,”; strike in their entirety lines 10 through 12, inclusive; and in lines 13, 15, 17, and 26, strike “(4)”, “(5)”, “(6)”, and “(7)”, respectively, and substitute “(2)”, “(3)”, “(4)”, and “(5)”, respectively.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**QUORUM CALL**

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

(See Roll Call No. 44)

**ADJOURNMENT**

At 10:35 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, January 23, 2013.

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**Annapolis, Maryland**  
**Wednesday, January 23, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:07 A.M.

Prayer by Rev. Msgr., J. Bruce Jarboe, The Cathedral of Mary Our Queen, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 22, 2013 was read and approved.

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

**QUORUM CALL**

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

(See Roll Call No. 47)

**INTRODUCTION OF BILLS**

**Senate Bill 285 – Senator Peters**

AN ACT concerning

**Health Occupations – Kinesiotherapy – Study**

FOR the purpose of requiring the State Board of Physicians, in cooperation with certain health occupation boards, the State Department of Veterans Affairs, and certain stakeholders, to study the practice of kinesiotherapy and make certain recommendations regarding the licensure and regulation of kinesiotherapy in the State; requiring the State Board of Physicians to report on the results of the study and recommendations made to certain committees of the General Assembly on or before a certain date; and generally relating to the study of kinesiotherapy.

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

**Senate Bill 286 – Senator Edwards**

AN ACT concerning

**Vehicle Laws – School Vehicles – Definition**

FOR the purpose of altering the definition of “school vehicle” to include certain vehicles that meet certain standards and requirements and were originally titled in another state and used to transport children, students, and teachers in that state; and generally relating to school vehicles.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 11–154  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11–173 and 11–174  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 287 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Institutes for Behavior Resources**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Institutes for Behavior Resources, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 288 – Senator Conway**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Revitalization of Hobbs Fitness Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$111,000, the proceeds to be used as a grant to the Board of Directors of The League for People with Disabilities, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 289 – Senators Simonaire, Ferguson, Glassman, Jennings, Montgomery, Reilly, and Young**

AN ACT concerning

**Environment – Water Pollution Control – Penalty**

FOR the purpose of increasing a certain penalty for certain violations of the water pollution control law; and generally relating to water pollution control.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–342  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 290 – Senators Stone and Manno**

AN ACT concerning

**Procurement – Prevailing Wage – Applicability**

FOR the purpose of altering a certain limitation on the applicability of the Prevailing Wage Law to the construction of a public work by revising a certain definition; and generally relating to the applicability of the Prevailing Wage Law.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–201  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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



**Senate Bill 291 – Senator Zirkin**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Baltimore County Humane Society**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$35,000, the proceeds to be used as a grant to the Board of Directors of the Humane Society of Baltimore County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 292 – Senator Zirkin**

AN ACT concerning

**Vehicle Laws – Administrative Per Se Offenses – Suspension Modification and Restrictive Licenses**

FOR the purpose of authorizing the Motor Vehicle Administration to modify a driver's license suspension or issue a restrictive license for a licensee who has committed certain alcohol-related driving offenses if the license is required for the purpose of complying with a court order; and generally relating to administrative per se offenses and modifications of driver's license suspensions and issuance of restrictive licenses.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–205.1(n)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 293 – Senator Zirkin**

AN ACT concerning

**Vehicle Laws – Judgment Debtors – License and Registration Suspension – Modification**

FOR the purpose of repealing a requirement that the Motor Vehicle Administration suspend the registration of certain vehicles owned by certain judgment debtors under certain circumstances; authorizing the Administration to modify a driver's license suspension or issue a restrictive license for certain judgment debtors under certain circumstances; and generally relating to judgment debtors and suspended vehicle registrations and drivers' licenses.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 17–201  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 17–204  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 294 – Senator Zirkin**

AN ACT concerning

#### **Election of Circuit Court Judges – Nonpartisan General Elections**

FOR the purpose of establishing a method for the election of judges to the circuit courts on a nonpartisan basis at a general election; providing that a candidate for election as judge of a circuit court may not be nominated at a primary election; providing that a candidate for election as judge of a circuit court may not be nominated to the ballot by a political party that is not required to nominate candidates by primary election; establishing a deadline for the filing of a certificate of candidacy for a candidate for election as judge of a circuit court; providing that a candidate for judge of a circuit court may not be nominated by petition; and generally relating to the election of circuit court judges on a nonpartisan basis at general elections.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 5–203, 5–303, 5–703(a), 5–703.1(a), and 9–210(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 5–301(a), 5–703(b), and 5–703.1(b)

Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 8–901 through 8–904 to be under the new subtitle “Subtitle 9. Election  
of Circuit Court Judges”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 295 – Senator Zirkin**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Circuit Court Judges – Election, Qualifications, and Term of Office**

FOR the purpose of proposing an amendment to the Maryland Constitution relating to the selection and tenure of circuit court judges; altering the method of filling vacancies in the office of a judge of a circuit court; providing for retention elections following an appointment to fill a vacancy in the office of a judge of a circuit court; altering the term of office of circuit court judges; altering certain qualifications for appointment of circuit court judges; providing for a transitional period during which the terms of certain amendments are effective; repealing certain obsolete provisions; making stylistic changes; generally relating to the selection, election, appointment, qualification, tenure, and term of office for judges of the circuit courts; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution

Article IV – Judiciary Department

Section 2, 3, 5A, 11, and 21(a)

BY proposing a repeal of the Maryland Constitution

Article IV – Judiciary Department

Section 5; 18B and the part “Part IIA – Interim Provisions”; and 21A

BY proposing an addition to the Maryland Constitution

Article XVIII – Provisions of Limited Duration

Section 6

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

### **Senate Bill 296 – Senator Zirkin**

AN ACT concerning

**Homeowner's and Renter's Insurance – Coverage for Dog Owners**

FOR the purpose of prohibiting an insurer from refusing to issue or renew a policy of homeowner's or renter's insurance solely because the applicant or insured owns a dog, regardless of the breed of dog; prohibiting a policy of homeowner's or renter's insurance that provides liability coverage from excluding certain coverage arising out of contact with a dog under certain circumstances; providing for the application of this Act; and generally relating to coverage for dog owners under policies of homeowner's or renter's insurance.

BY adding to

Article – Insurance

Section 19–215

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 297 – Senator Zirkin**

AN ACT concerning

**Criminal Law – Possession of Marijuana – De Minimis Quantity**

FOR the purpose of altering the penalty for the use or possession of less than a certain quantity of marijuana; making the use or possession of less than a certain quantity of marijuana a civil offense; making conforming changes; and generally relating to penalties for possession of marijuana.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–601

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 298 – Senator Edwards**

AN ACT concerning

**Vehicle Laws – Maximum Speed Limits – Interstate 68**

FOR the purpose of establishing that the maximum speed limit on Interstate 68 may be up to a certain number of miles an hour; and generally relating to maximum speed limits.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–801.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 299 – Senator Edwards**

AN ACT concerning

**Creation of a State Debt – Washington County – Lockhouse 44, Lock 44, and  
Western MD Railroad Lift Bridge**

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

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

**Senate Bill 300 – Senators Zirkin and Brochin**

AN ACT concerning

**Baltimore County – Board of Education – Prohibited Members**

FOR the purpose of prohibiting a regulated lobbyist or the spouse of a regulated lobbyist from being appointed as a member of the Baltimore County Board of Education; and generally relating to membership and the Baltimore County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–109  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 301 – Senator Glassman**

AN ACT concerning

**Creation of a State Debt – Harford County – Maryland STEM Lab at Broad Creek Memorial Scout Reservation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$400,000, the proceeds to be used as a grant to the Board of Directors of the Baltimore Area Council, Boy Scouts of America, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 302 – Senators Glassman and Simonaire**

AN ACT concerning

**Environment – Water Pollution Control – Reporting and Penalties**

FOR the purpose of requiring the Department of the Environment to publish annually on its Web site the total amount of sewage overflow into the Chesapeake Bay and its tributaries and the total amount of fines collected by the Department as a result of sewage overflows into the Chesapeake Bay and its tributaries; altering certain civil and administrative penalties for violations of certain provisions relating to water pollution control; and generally relating to water pollution control.

BY adding to

Article – Environment

Section 9–317

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 9–342

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 303 – Senator Glassman**

AN ACT concerning

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

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

BY adding to

Article – Education

Section 5–301(h–1)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 304 – Senators Miller and Dyson**

AN ACT concerning

**Calvert County – Election Judges – Compensation**

FOR the purpose of altering the compensation for chief election judges and election judges in Calvert County; providing that this Act does not apply to the compensation of incumbent chief election judges or election judges in Calvert County; and generally relating to compensation for chief election judges and election judges in Calvert County.

BY repealing and reenacting, without amendments,

Article – Election Law

Section 10–205(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 10–205(b)(4)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 305 – Chair, Finance Committee (By Request – Department of Legislative Services)**

AN ACT concerning

**Division of Labor and Industry and Associated Boards and Councils – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Amusement Ride Safety Advisory Board, the Occupational Safety and Health Advisory Board, the Apprenticeship and Training Council, and the Board of Boiler Rules in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the boards and council; altering certain termination provisions to apply only to certain boards and a certain council; repealing the termination provision for the Division of Labor and Industry; repealing a certain termination provision that applies to the regulation of the employment of minors and wages and hours; requiring that an evaluation be made of the Division of Labor and Industry on or before a certain date; repealing the Advisory Council on Prevailing Wage Rates; repealing the requirement that certain employment agencies submit to the Commissioner of Labor and Industry a certain penal bond and related provisions of law; requiring the Prevailing Wage Unit to advise and submit recommendations to the Commissioner regarding the Commissioner's functions under certain provisions of law; authorizing the Commissioner to ask certain units of State and local governments to provide certain information to the Prevailing Wage Unit; authorizing the Commissioner to conduct, under certain circumstances, an investigation regarding whether certain provisions of law have been violated; authorizing the Commissioner to take certain actions regarding the violation of certain provisions of law; authorizing the Attorney General to take certain actions under certain provisions of this Act; authorizing the Commissioner to assess a certain civil fine for a violation of a certain provision of law; altering a certain reporting requirement; requiring the Board of Boiler Rules to meet with and consult the State Board of Stationary Engineers at least a certain number of times a year; requiring the Division to submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the Workplace Fraud Unit to submit a certain report to the General Assembly on or before a certain date; requiring the Commissioner to submit a certain report to the Governor and the General Assembly on or before a certain date; repealing a certain definition; and generally relating to the Division of Labor and Industry and associated boards and councils.



BY adding to

Article – Business Regulation  
Section 3–315  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing

Article – Business Regulation  
Section 3–601; 9–201 and 9–202 and the Subtitle “Subtitle 2. Administration  
and Enforcement”; and 9–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation  
Section 9–101  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment  
Section 2–107(f), 3–103, 3–704, 3–712, 3–801, 3–802, 3–914, 3–920, and 11–402  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing

Article – Labor and Employment  
Section 2–109, 3–706, and 5–607  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Labor and Employment  
Section 3–306.1, 3–608, 3–1008, and 5–306  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 12–904 and 12–919  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article – State Finance and Procurement  
Section 17–203  
Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–403(b)(2), (3), (9), (33), and (42)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing

Article – State Government

Section 8–403(b)(55)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY renumbering

Article – State Government

Section 8–403(b)(56) through (69), respectively

to be Section 8–403(b)(55) through (68), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 306 – Senators Brochin, Glassman, Jacobs, and Klausmeier**

AN ACT concerning

**Business Regulation – Secondhand Precious Metal Object Dealers –  
Exemptions for Consignment Shop Operators**

FOR the purpose of exempting consignment shop operators from the licensing and regulatory requirements for secondhand precious metal object dealers; defining certain terms; and generally relating to consignment shop operators and secondhand precious metal object dealers.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 12–101 and 12–102

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 307 – Senator McFadden**

EMERGENCY BILL

AN ACT concerning

**Baltimore City – Alcoholic Beverages Act of 2013**

FOR the purpose of altering certain fees for certain holders of alcoholic beverages licenses in Baltimore City; requiring certain holders of certain licenses in Baltimore City to pay a certain fee each year if they provide live entertainment or outdoor table or cafe service; requiring a certain license application to contain a certain statement concerning the citizenship of the applicant or certain information or documentation to show proof of alien status; requiring the Baltimore City Board of Liquor License Commissioners to expend a certain amount of money each year from certain fines for performing underage compliance checks; requiring certain part-time inspectors to serve for a 2-year term; requiring the Board to employ a certain number of full-time inspectors; authorizing the Board to assess a fee for the production and service of summonses and hearing notices and certain administrative hearing fees for a licensee who appears for an administrative conference; authorizing the Board to impose a certain fine for violations relating to sales to individuals under the drinking age or administrative violations in lieu of a public hearing or a license suspension under certain circumstances; making this Act an emergency measure; and generally relating to alcoholic beverages licenses in Baltimore City.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 5-101(a), 5-201(a), 5-301(a), 5-401(a), 6-101(a)(1), 6-102(b), 6-201(a)(1) and (2) and (d)(3)(i) and (ii), 6-301(a)(1), 6-401(a)(1), 7-101(b)(1)(i) and (d)(1)(i), 8-203(d)(1), 8-508(b), 15-112(d)(1) and (11)(i), and 16-410(e)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 5-101(d), 5-201(d), 5-301(d), 5-401(d), 6-101(d), 6-102(d), 6-201(d)(1), (2), and (3)(viii), 6-301(d), 6-401(d), 7-101(b)(3) and (d)(3), 8-203(d)(7), 8-508(c), 10-103(b)(3-a)(i), 10-204(d), 15-112(d)(9) and (11)(ii), 16-410(e)(3), and 16-507(d)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 308 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Patricia and Arthur Modell  
Performing Arts Center at the Lyric**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Trustees of the Lyric Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 309 – Senator Getty**

AN ACT concerning

**Election Law – Local Board Employees – Qualifications**

FOR the purpose of altering the qualification requirements for an employee of a local board of elections to require that the employee be a registered voter in the jurisdiction where the employee resides, rather than a registered voter in the State; and generally relating to the qualifications of local board of elections employees.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 2–207  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 310 – Senator Edwards**

AN ACT concerning

**Garrett County – Coal Combustion By-Products – Storage**

FOR the purpose of authorizing, notwithstanding a certain regulation, Garrett County to store coal combustion by-products used for a certain purpose in the same locations and in the same manner that the coal combustion by-products were stored on a certain date; and generally relating to the storage of coal combustion by-products in Garrett County.

BY adding to

Article – Environment

Section 9–291

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 311 – Senator Astle**

AN ACT concerning

**Workers' Compensation – Temporary Total Disability Benefits – Credit**

FOR the purpose of providing a credit for an employer or insurer for certain payments to a covered employee for temporary total disability benefits under certain circumstances and during a certain period; providing for the application of this Act; and generally relating to payment of temporary total disability benefits.

BY repealing and reenacting, without amendments,

Article – Labor and Employment

Section 9–618

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–621

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 312 – Senator Astle**

AN ACT concerning

**Vehicle Laws – Provisional Drivers' Licenses – First Aid and  
Cardiopulmonary Resuscitation (CPR) Training Requirement**

FOR the purpose of requiring an applicant for a provisional driver's license to complete successfully, within a certain period of time, a first aid and cardiopulmonary resuscitation training course that meets certain standards; requiring the Motor Vehicle Administration to develop and make available a list of certain organizations; requiring the Administration to prescribe a certain

form; requiring the Administration to provide a certain notice; requiring the Administration to adopt certain regulations; and generally relating to a first aid and cardiopulmonary resuscitation training requirement for applicants for provisional drivers' licenses.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–111(b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Transportation  
Section 16–111.3  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 313 – Senator Astle**

AN ACT concerning

#### **Workers' Compensation – Anne Arundel County Deputy Sheriff**

FOR the purpose of altering a certain definition of “public safety employee” to include Anne Arundel County deputy sheriffs for purposes of establishing eligibility for enhanced workers' compensation benefits for a compensable permanent partial disability of less than a certain number of weeks; providing for the application of this Act; and generally relating to workers' compensation benefits for Anne Arundel County deputy sheriffs.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–628  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–629  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 314 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Slot Machines for Nonprofit Organizations**

FOR the purpose of adding Frederick County to the list of counties in which certain nonprofit fraternal, religious, and war veterans' organizations may own and operate a certain number of slot machines under certain circumstances; and generally relating to slot machines in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 12–304  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 315 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Gaming Permits**

FOR the purpose of repealing in Frederick County a certain limitation on the number of certain raffles that may be held on a single day; authorizing the Board of County Commissioners of Frederick County to determine the number of permits to conduct a raffle that certain organizations in Frederick County may receive in a calendar year; and generally relating to raffles in Frederick County.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 13–1304(a) and (b)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–1304(f)(2)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Criminal Law  
Section 13–1304(f)(4)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 316 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Ethics – Former Officials and Employees**

FOR the purpose of authorizing the ethics provisions enacted by Frederick County to allow certain former officials or employees of the county to engage in certain representation or assistance that related in a certain way to the officials' or employees' former government activities after certain time periods; and generally relating to the ethics requirements for Frederick County.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–504(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–804  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 317 – Senator Brinkley**

AN ACT concerning

**Frederick County – Stormwater Management – Watershed Protection and Restoration Program – Exemption**

FOR the purpose of exempting a certain county from a certain requirement to adopt a certain watershed protection and restoration program; and generally relating to stormwater management in the State.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–202.1(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)



BY repealing and reenacting, without amendments,  
Article – Environment  
Section 4–202.1(b) and (c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 318 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Property Tax Credit to Offset Income Tax Revenues – Eligibility**

FOR the purpose of expanding eligibility for the property tax credit in Frederick County granted to offset certain increases in county or municipal corporation income tax revenues; providing for the application of this Act; and generally relating to a certain property tax credit in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–221  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 319 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Motor Vehicle Registration – Exception for All-Terrain and Utility-Terrain Vehicles**

FOR the purpose of authorizing, under certain circumstances, the operation of certain all-terrain and utility-terrain vehicles on highways in Frederick County without the vehicle being registered under the Maryland Vehicle Law; requiring a person operating an unregistered all-terrain or utility-terrain vehicle on a highway in Frederick County to maintain certain evidence of liability insurance in the vehicle; prohibiting a person from operating unregistered all-terrain or utility-terrain vehicles on a highway in Frederick County for which the posted maximum speed limit exceeds a certain limit; and generally relating to the operation of unregistered all-terrain and utility-terrain vehicles on highways in Frederick County.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13–402(a) and (b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Transportation  
Section 13–402(h–1)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 320 – Senators Brinkley and Young**

EMERGENCY BILL

AN ACT concerning

**Frederick County – Authority to Ban Synthetic Cannabinoids**

FOR the purpose of authorizing the County Commissioners of Frederick County to enact an ordinance that prohibits the knowing or intentional possession of synthetic cannabinoids; prohibiting the sale or manufacture of synthetic cannabinoids; making real property used in violation of the ordinance a nuisance; providing for civil and criminal penalties for a violation of the ordinance; defining a certain term; making this Act an emergency measure; providing for the application of this Act; and generally relating to synthetic cannabinoids in Frederick County.

BY adding to  
Article 25 – County Commissioners  
Section 221C  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 321 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Alcoholic Beverages – License Fees**

FOR the purpose of altering the distribution of alcoholic beverages license fees in Frederick County; requiring that the Board of License Commissioners keep a certain percentage of license fees that are collected and that a certain percentage of license fees be distributed to the County Treasurer; requiring that the salaries and expenses of the Board of License Commissioners be paid from certain license fees; making certain stylistic changes; and generally relating to alcoholic beverages license fees in Frederick County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10–204(l)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 322 – Senators Brinkley and Young**

AN ACT concerning

**Creation of a State Debt – Frederick County – Mental Health Association Building**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Mental Health Association of Frederick County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 323 – Senators Brinkley and Young**

AN ACT concerning

**Creation of a State Debt – Frederick County – Culler Lake Stormwater Management**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Friends of Baker Park, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee

provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 324 – Senators Forehand and King**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Identity House Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$130,000, the proceeds to be used as a grant to the Board of Directors of Identity, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 325 – Senator Brinkley**

AN ACT concerning

**Environment – Frederick County – Soil Erosion and Sediment Control Standards**

FOR the purpose of exempting Frederick County from certain soil erosion and sediment control standards; requiring completion of certain stabilization measures within certain periods of time; eliminating a certain limit on a certain area to be graded; eliminating a certain mapping requirement; and generally relating to soil erosion and sediment control standards in Frederick County.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4–103(b)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 326 – Senator Glassman**

AN ACT concerning

**Transportation – Advertising Signs on State Highways for Agricultural  
Businesses Authorized**

FOR the purpose of authorizing, subject to certain requirements, a person to place or maintain an advertising sign for certain agricultural businesses on a State highway; providing that certain provisions of law regulating the placement and maintenance of outdoor signs in certain locations do not apply to a sign placed in accordance with this Act; making stylistic changes; and generally relating to advertising signs for agricultural products on certain highways.

BY repealing and reenacting, without amendments,  
Article – Land Use  
Section 4–102  
Annotated Code of Maryland  
(2012 Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 8–605 and 8–714  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 327 – Senator Gladden**

AN ACT concerning

**Elections for Judges of the Orphans’ Courts – Nonpartisan Elections**

FOR the purpose of establishing a method of electing judges of the orphans’ courts on a nonpartisan basis, without regard to political party affiliation; establishing a primary election for candidates for nomination for a certain office to be administered in a certain manner; authorizing any registered voter, with or without any political party affiliation, to participate in such a primary; prohibiting candidates from appearing on primary ballots under certain circumstances; establishing that a candidate for a certain office may not be nominated by petition or by a political party that is not required to nominate its candidates by party primary; making a conforming change; and generally relating to the nonpartisan nomination and election of judges of the orphans’ courts.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 5–203, 5–703(a), 5–703.1(a), and 9–210(a)  
Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law

Section 5–301(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 8–901 through 8–905 to be under the new subtitle “Subtitle 9. Election of Judge of the Orphans’ Court”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 328 – Senator Gladden**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Park Heights Women and Children’s Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$450,000, the proceeds to be used as a grant to the Board of Directors of the Gaudenzia Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 329 – Senator Gladden**

AN ACT concerning

#### **State Personnel – Hiring Preferences for Graduates of Public Institutions of Higher Education**

FOR the purpose of requiring an appointing authority to apply a credit of one point on a selection test for certain positions in the State Personnel Management System for each degree successfully completed by an applicant at certain public institutions of higher education; requiring certain appointing authorities for certain positions in the Judicial, Legislative, and Executive branches of State

government to develop a hiring preference for certain applicants that is equivalent to a certain credit applied on a certain selection test; providing for the application of certain provisions of this Act; and generally relating to hiring preferences and employment in State government.

BY adding to

Article – State Personnel and Pensions  
Section 2–308  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions  
Section 7–207(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Personnel and Pensions  
Section 7–207(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 330 – Senator Gladden**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Wayland Village II**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$1,000,000, the proceeds to be used as a grant to the Board of Directors of the WBC Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 331 – Senator Gladden**

AN ACT concerning

#### **Baltimore City – Alcoholic Beverages – License Renewal**

FOR the purpose of requiring the Baltimore City Board of Liquor License Commissioners to consider certain factors in determining whether to grant an application for a license renewal when a protest against the renewal is filed; requiring the Board to deny an application for renewal if the Board makes a certain finding; requiring the Board to make its findings in writing and available to the public; and generally relating to an application for a renewal of an alcoholic beverages license in Baltimore City.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 10–301(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 332 – Senator Gladden**

AN ACT concerning

#### **Estates and Trusts – Special and Supplemental Needs Trusts – Regulations by State Agencies**

FOR the purpose of requiring each State agency that provides public benefits to individuals of any age with disabilities to adopt certain regulations that are not more restrictive than State statutes, regulations, or common law regarding trusts and that do not require disclosure of a beneficiary's personal or confidential information without the consent of the beneficiary; providing that nothing in a certain provision of law shall be interpreted to require a court order to authorize a disbursement from a special or supplemental needs trust; establishing that a certain regulation enacted by a State agency regarding pooled special needs trusts shall apply only to certain trust beneficiaries; making stylistic changes; and generally relating to special and supplemental needs trusts.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 14–115  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 333 – Senator Gladden**

AN ACT concerning



### **Criminal Procedure – Vulnerable Adult Abuse Registry**

FOR the purpose of establishing a vulnerable adult abuse registry; requiring the Department of Health and Mental Hygiene to establish and maintain a registry containing the names of certain individuals; requiring that names and information contained in the registry be available for public inspection; authorizing the Department to discharge certain responsibilities in a certain manner; requiring a State agency that makes a certain finding to notify the Department in a certain manner; requiring the State's Attorney to report a conviction of an individual for a certain crime to the Department; requiring the Department to enter the names of certain individuals and information in the registry in certain circumstances; requiring the Department to notify an individual of inclusion in the registry in a certain manner; authorizing the individual to challenge the accuracy of a certain report in a certain manner; requiring the removal of a certain individual's name from the registry under certain circumstances; authorizing a State agency to recommend the removal of an individual's name from the registry in certain circumstances; authorizing a certain appeal; requiring a certain State agency to consult the registry prior to hiring an employee or using a volunteer; prohibiting a certain agency from hiring or otherwise using the services of an individual who is listed in the registry; providing immunity for certain persons; defining certain terms; and generally relating to abuse of vulnerable adults.

BY adding to

Article – Criminal Procedure

Section 11–1101 through 11–1105 to be under the new subtitle “Subtitle 11.

Vulnerable Adult Abuse Registry”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 334 – Senators Jones–Rodwell, Benson, Brinkley, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Jacobs, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Peters, Pinsky, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, and Zirkin**

AN ACT concerning

### **Mammograms – Dense Breast Tissue – Notification**

FOR the purpose of requiring certain centers that produce, develop, or interpret mammograms to provide a certain notice to certain patients under certain circumstances; altering a certain definition; defining a certain term; and generally relating to mammograms, dense breast tissue, and notification.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 20–115  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

## LETTERS OF REASSIGNMENT

### ANNOUNCEMENT BY THE PRESIDENT

**Senate Bill 261 – Senators Young, Garagiola, Kittleman, and Montgomery**

AN ACT concerning

#### **State Government – Administrative Procedure Act – Effective Date of Adopted Regulations**

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

## SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Rule 116. Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

- (1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and
- (2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

Senate Rule 116 was read only.

Senator Kittleman moved, duly seconded, to make the **Senate Rule 116** a Special Order for January 24, 2013.

The motion was adopted.

### **QUORUM CALL**

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

(See Roll Call No. 48)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #3**

**Senate Bill 73 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

#### EMERGENCY BILL

AN ACT concerning

**Vehicle Laws – Piling, Poles, Mill Logs, and Similar Cargo – Length, Overhang, and Fastening Standards**

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

Affirmative – 45    Negative – 0    (See Roll Call No. 49)

The Bill was then sent to the House of Delegates.

### **QUORUM CALL**

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

(See Roll Call No. 50)

### **ADJOURNMENT**

At 10:23 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 24, 2013.

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**Annapolis, Maryland**  
**Thursday, January 24, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:08 A.M.

Prayer by Reverend Doctor Carlotta D. Allen, Asbury United Methodist Church, guest of Senator Astle.

(See Exhibit A of Appendix III)

The Journal of January 23, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Currie, Dyson, Montgomery, Muse, and Shank be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 53)

**INTRODUCTION OF BILLS**

**Senate Bill 335 – Senators Klausmeier, Brinkley, Ferguson, and Young**

AN ACT concerning

**Health Occupations – Funeral Establishments – Preparation and  
Holding Rooms**

FOR the purpose of establishing that a funeral establishment that uses a central preparation room at another funeral establishment is not required to have its own preparation room or holding room; and generally relating to funeral establishments.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–310  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 336 – Senators King, Forehand, Garagiola, Madaleno, Manno, and Montgomery**

AN ACT concerning

**Creation of a State Debt – Montgomery County – RCI Group Home Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of Residential Continuum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 337 – Senators Peters, Brochin, Colburn, DeGrange, Getty, Kittleman, Manno, Muse, Raskin, Shank, Stone, and Zirkin**

AN ACT concerning

**Real Property – Residential Leases – Interest on Security Deposits**

FOR the purpose of altering the interest rate paid on a security deposit under a residential lease at the end of a tenancy; altering the interest rate paid on a security deposit under a residential lease when an evicted or ejected tenant makes a timely written demand for return of the security deposit; altering the annual interest rate paid by a mobile home park owner on a security deposit at the end of a tenancy; requiring the Department of Housing and Community Development to maintain on its Web site a certain list or a certain calculator; requiring the Department to submit a certain report on or before a certain date; providing for the application of this Act; providing for a delayed effective date; and generally relating to the interest paid on security deposits under residential leases.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–203(e) and (h) and 8A–1001(f)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Real Property  
Section 8–203(k)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 338 – Senator Conway**

EMERGENCY BILL

AN ACT concerning

**State Board of Nursing – Medication Technician Graduates and Certified  
Medication Technicians – Sunset Extension**

FOR the purpose of extending the termination date for certain provisions of law relating to medication technician graduates and certified medication technicians; making this Act an emergency measure; and generally relating to the State Board of Nursing and medication technician graduates and certified medication technicians.

BY repealing and reenacting, with amendments,  
Chapter 123 of the Acts of the General Assembly of 2011  
Section 3

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

**Senate Bill 339 – Senators Robey, Kasemeyer, King, Madaleno, Montgomery,  
Peters, and Young**

AN ACT concerning

**Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts,  
Enforcement, and Penalties**

FOR the purpose of repealing certain provisions of law that require enforcement as a secondary offense of certain violations involving the use of a wireless communication device while operating a motor vehicle; repealing certain provisions of law that apply certain prohibitions involving the use of a wireless communication device to certain operators of certain motor vehicles only if the motor vehicle is in motion; providing that certain prohibitions against the use of a wireless communication device while operating a motor vehicle apply only if the vehicle is in the travel portion of the roadway; altering the penalty imposed for a violation of a certain prohibition on the use of a handheld telephone while operating a motor vehicle; repealing a certain provision of law prohibiting,

under certain circumstances, a certain assessment of points for a first violation of a certain prohibition on the use of a handheld telephone while operating a motor vehicle; and generally relating to the use of wireless communication devices while operating a motor vehicle.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1124 and 21–1124.2  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 27–101(a) and (b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

#### **Senate Bill 340 – Senator Stone**

AN ACT concerning

##### **Creation of a State Debt – Baltimore County – Dundalk Youth Services Arts Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Dundalk Youth Services Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

#### **Senate Bill 341 – Senator Madaleno**

AN ACT concerning

##### **Higher Education – Academic Program Action – Repeal of Application Fees**

FOR the purpose of repealing the authority of the Maryland Higher Education Commission to impose certain application fees; and generally relating to application fees for approval of academic program actions taken by certain institutions of higher education.



BY repealing and reenacting, without amendments,  
Article – Education  
Section 11–105(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 11–105(o)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 342 – Senator Madaleno**

AN ACT concerning

**State Government – Access to Public Records in Electronic Formats –  
Termination Date**

FOR the purpose of extending the termination date for certain provisions of law related to access to public records in certain electronic formats; and generally relating to access to public records in electronic formats.

BY repealing and reenacting, with amendments,  
Chapter 536 of the Acts of the General Assembly of 2011  
Section 2

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

**Senate Bill 343 – Senators Shank, Simonaire, and Young**

AN ACT concerning

**Procurement – Lower-Cost Goods and Services**

FOR the purpose of providing that when a primary procurement unit makes a certain determination concerning its participation in a certain intergovernmental cooperative purchasing agreement, the determination will include a statement that the agreement will allow an entity whose procurement is managed by the primary procurement unit to withdraw the entity's participation under the agreement under certain circumstances; and generally relating to an entity's withdrawal from an intergovernmental cooperative purchasing agreement.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–110  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 344 – Senators Middleton and Frosh**

AN ACT concerning

**Potomac River Fisheries Commission – Inspection Tax and Penalty**

FOR the purpose of establishing a certain maximum oyster inspection tax that may be imposed by the Potomac River Fisheries Commission; requiring the Potomac River Fisheries Commission to use the proceeds of a certain oyster inspection tax for a certain purpose; increasing a certain maximum penalty for the violation of certain regulations; making this Act subject to a certain contingency; providing for the effective dates of this Act; and generally relating to the Potomac River Fisheries Commission.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–306 Article III Section 9 and Article V Section 2  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 345 – Senators Montgomery, Benson, and Forehand**

AN ACT concerning

**State Board of Examiners of Psychologists – Psychology Associates –  
Licensure**

FOR the purpose of altering the membership of the State Board of Examiners of Psychologists; requiring the Governor to appoint the psychology associate member of the Board with the advice and consent of certain individuals; requiring the Maryland Psychological Association to notify all licensed psychology associates of a certain vacancy on the Board and conduct a certain balloting process regarding the vacancy; specifying the qualifications for the psychology associate member of the Board; requiring an individual, except under certain circumstances, to be licensed by the Board before practicing

psychology as a psychology associate in the State; specifying the circumstances under which a licensed psychology associate is authorized to practice psychology in the State; repealing obsolete language regarding an exemption from licensure for psychology associates; requiring an individual to meet certain requirements to qualify for licensure as a psychology associate; requiring an applicant for licensure as a psychology associate, except under certain circumstances, to pass certain examinations; requiring the Board to grant a waiver of certain licensure requirements to certain applicants; requiring the Board to maintain a roster that contains the names and certain other information regarding licensed psychology associates; repealing the requirement that continuing education requirements set by the Board be standard for all licensed psychologists; authorizing the Board, on a certain vote of its membership, to take certain action against a licensee if the licensee fails to supervise a licensed psychology associate in accordance with certain regulations; altering certain definitions; defining a certain term; repealing a certain definition; making certain conforming and stylistic changes; and generally relating to the licensure of psychology associates.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 18–101, 18–202, 18–206, 18–301, 18–302, 18–306, and 18–308 through 18–313

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 346 – Senator Kelley**

AN ACT concerning

#### **Innovations in Aging Services Program – Commission on Aging – Responsibilities**

FOR the purpose of repealing the Innovations in Aging Services Advisory Council and transferring certain Council responsibilities to the Commission on Aging; providing that the Commission shall advise the Secretary of Aging on the development of a certain annual Innovation in Aging Services Program plan; providing that the Commission shall advise the Secretary on the awarding of certain grants in accordance with certain Program priorities; and generally relating to the Commission on Aging and the Innovations in Aging Services Program.

BY repealing and reenacting, with amendments,

Article – Human Services

Section 10–601, 10–603, and 10–605

Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

BY repealing

Article – Human Services

Section 10–604

Annotated Code of Maryland

(2007 Volume and 2012 Supplement)

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

**Senate Bill 347 – Senators Brochin and Klausmeier**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Limekilns and Log House  
Stabilization Project at Cromwell Valley Park**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$150,000, the proceeds to be used as a grant to the Board of Directors of the Cromwell Valley Park Council, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 348 – Senators Colburn and Astle**

AN ACT concerning

**Criminal Law – Distribution of Faked Controlled Dangerous Substance –  
Substantially Similar Chemical Structure**

FOR the purpose of requiring a court, in determining if a person has violated the prohibition against distributing, attempting to distribute, or possessing with intent to distribute a certain noncontrolled substance, to consider whether the chemical structure of the noncontrolled substance is substantially similar to the chemical structure of a controlled dangerous substance; and generally relating to controlled dangerous substances.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5–617

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 349 – Senators Colburn and Mathias**

AN ACT concerning

**Wicomico County Liquor Act of 2013**

FOR the purpose of creating in Wicomico County a refillable container license; authorizing the Board of License Commissioners to issue the license to a holder of any class of alcoholic beverages license issued by the Board except a Class C license, Class D license, Class B–Conference Center license, or Class B–Stadium license; authorizing the holder of the license to sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for the license to complete a certain form and pay a certain fee; requiring that certain applicants meet certain advertising, posting of notice, and public hearing requirements; specifying the term of the license; requiring that receipts collected under the license be included in a certain calculation of average daily receipts; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that was branded by the license holder; authorizing the Board to adopt certain regulations related to the license; authorizing the holder of a Class B–Stadium license to sell certain alcoholic beverages in aluminum containers under certain circumstances; increasing the total number of days during which beer, wine, or beer and wine sampling or tasting events may be held during a period for which a certain license is in effect; repealing a certain requirement that the Board determine the time by which establishments shall cease serving alcoholic beverages on a certain date; extending the hours for which alcoholic beverages may be sold on Sundays under certain circumstances; exempting a certain holder of a refillable container license from a prohibition on refilling a certain container, under certain circumstances; making stylistic changes; and generally relating to alcoholic beverages in Wicomico County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 7–101(w), 8–223, 8–412(f), 11–402(x), 11–523(c), and 12–113(c)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 8–412(a), (b), and (c)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 350 – Senator Colburn**

AN ACT concerning

**Electrical Inspectors and Plumbing Inspectors – Master License Required**

FOR the purpose of requiring a county or local government to employ as electrical inspectors only individuals who hold, or have previously held within a certain period of time under certain circumstances, a State license or local license, as applicable, to provide electrical services as a master electrician or who are certified by certain entities; requiring a county or local government to employ as plumbing inspectors only individuals who hold a master plumber license issued by certain entities; providing certain exceptions to certain requirements of this Act; providing for the scope of certain provisions of this Act; providing for the application of this Act; providing for a delayed effective date; and generally relating to licensing requirements for electrical inspectors and plumbing inspectors.

BY repealing and reenacting, without amendments,  
Article – Business Occupations and Professions  
Section 6–101(a), (g), (h), and (k) and 12–101(a) and (l)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 6–313, 12–103, and 12–503  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 351 – Senator Mathias**

AN ACT concerning

**Somerset County – Alcoholic Beverages – Beer and Wine Tasting License**

FOR the purpose of establishing in Somerset County a beer and wine tasting (BWT) alcoholic beverages license for a holder of a beer, wine and liquor license or a beer and wine license; specifying that a BWT license authorizes a holder to serve certain alcoholic beverages for tasting purposes only and for no consideration; requiring the County Board of License Commissioners to regulate

the quantity and number of bottles of certain alcoholic beverages to be served; specifying license and issuance fees; repealing certain provisions relating to a wine tasting license; prohibiting a holder from exercising the privileges of the BWT license during any festival event; authorizing the Board to adopt certain regulations; and generally relating to alcoholic beverages in Somerset County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 8–410.2  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 352 – Senator DeGrange**

AN ACT concerning

#### **Creation of a State Debt – Anne Arundel County – National Electronics Museum**

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

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

### **Senate Bill 353 – Senator Currie**

AN ACT concerning

#### **Tax Credits for Qualifying Employees with Disabilities – Sunset Repeal**

FOR the purpose of repealing certain termination provisions and altering certain dates of applicability for certain tax credits allowed to employers that hire certain qualifying individuals with disabilities; and generally relating to certain tax credits allowed to employers that hire certain qualifying employees facing certain employment barriers.

BY repealing and reenacting, with amendments,  
Chapter 112 of the Acts of the General Assembly of 1997, as amended by  
Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of

the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, Chapter 252 of the Acts of the General Assembly of 2010, Chapter 558 of the Acts of the General Assembly of 2011, and Chapter 467 of the Acts of the General Assembly of 2012.

Section 4 and 6

BY repealing and reenacting, with amendments,

Chapter 113 of the Acts of the General Assembly of 1997, as amended by Chapter 614 of the Acts of the General Assembly of 1998, Chapter 448 of the Acts of the General Assembly of 2000, Chapter 454 of the Acts of the General Assembly of 2003, Chapter 394 of the Acts of the General Assembly of 2006, Chapter 370 of the Acts of the General Assembly of 2007, Chapter 658 of the Acts of the General Assembly of 2008, Chapter 290 of the Acts of the General Assembly of 2009, Chapter 252 of the Acts of the General Assembly of 2010, Chapter 558 of the Acts of the General Assembly of 2011, and Chapter 467 of the Acts of the General Assembly of 2012.

Section 4 and 6

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

**Senate Bill 354 – Senators Pugh, Forehand, Jones–Rodwell, Madaleno, and Montgomery**

AN ACT concerning

**Criminal Procedure – State Vulnerable–Adult Abuser Registry**

FOR the purpose of requiring individuals convicted of vulnerable–adult abuse to register with a certain supervising authority by a certain time; providing that an individual is no longer subject to registration on a certain registry under certain conditions; requiring a certain registrant to provide notice of a change in residence or a change of name in a certain time period; establishing when an individual is considered to be convicted for certain purposes; requiring a certain registration statement to include certain information; requiring individuals convicted of vulnerable–adult abuse to register with a local law enforcement unit every year for a certain term; requiring a registration to include a certain digital image that is required to be updated at least once each year; requiring a supervising authority to provide a registrant with certain information and obtain a certain statement and digital image; requiring the Department of Public Safety and Correctional Services to establish a certain State vulnerable–adult abuser registry; requiring the Department to provide certain information on the Internet; requiring the Department to reimburse local law



enforcement units for certain costs; prohibiting an individual from knowingly failing to register or knowingly providing certain false information; providing for certain immunity for certain individuals in certain circumstances; establishing certain penalties for a violation of this Act; defining certain terms; and generally relating to a State vulnerable–adult abuser registry.

BY adding to

Article – Criminal Procedure

Section 11–7A–01 through 11–7A–11 to be under the new subtitle “Subtitle 7A.  
Registration of Vulnerable–Adult Abusers”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 355 – Senators Pugh, Jones–Rodwell, and Madaleno**

AN ACT concerning

**Department of Health and Mental Hygiene – Health Care Facilities – Abuser  
Registry**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to establish a registry that includes certain information on certain employees of health care facilities who provide services to certain individuals and who were terminated for certain reasons; requiring the placement of a certain employee on the registry under certain circumstances; authorizing certain health care facilities to submit the names of former employees to the Secretary for inclusion in the registry; authorizing certain health care facilities to have access to the registry; prohibiting a health care facility from allowing an employee to access the registry except under certain circumstances; authorizing a person responsible for a certain individual to access the registry; requiring a health care facility to adopt a certain procedure, provide certain employee training, and implement a certain quality assurance program; prohibiting a health care facility from hiring certain individuals; defining certain terms; and generally relating to a registry of terminated employees of health care facilities.

BY repealing and reenacting, without amendments,

Article – Health – General

Section 19–114(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health – General

Section 19–347.1 and 19–351(e) and (f)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–351(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 356 – Senators Pugh, Benson, Conway, Currie, Forehand,  
Jones–Rodwell, King, Klausmeier, Madaleno, Ramirez, and Zirkin**

AN ACT concerning

**Ex–Offender Business Development Program Study**

FOR the purpose of requiring the Department of Business and Economic Development, the Department of Labor, Licensing, and Regulation, and the Department of Public Safety and Correctional Services jointly to study and evaluate the feasibility of establishing a business development program for ex–offenders and to identify funding sources for certain purposes; requiring the Departments jointly to report their findings under this Act on or before a certain date; and generally relating to business development for ex–offenders.

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

**Senate Bill 357 – Senator Conway**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Funeral Establishments –  
Inspections**

FOR the purpose of requiring licensees or employees of licensees to give certain access to certain members or employees of the State Board of Morticians and Funeral Directors for purposes of conducting certain inspections; requiring the Board to provide certain results to certain licensees within a certain period of time; altering the circumstances under which unannounced inspections of funeral establishments may include advance notice; making certain clarifying changes; and generally relating to the State Board of Morticians and Funeral Directors, funeral establishments, and inspections.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 7–205(a)(8)  
Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–409  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 358 – Senator Conway**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Authority to Discipline –  
Funeral Establishment Licenses**

FOR the purpose of expanding the authority of the State Board of Morticians and Funeral Directors to discipline the holders of funeral establishment licenses under certain circumstances; and generally relating to the disciplinary authority of the State Board of Morticians and Funeral Directors and funeral establishment licenses.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–316  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 359 – Senators Pugh, Benson, Conway, Currie, Forehand,  
Jones–Rodwell, Kasemeyer, King, Klausmeier, Montgomery, and  
Ramirez**

AN ACT concerning

**Education – School Vehicle Attendant**

FOR the purpose of prohibiting an individual from serving as a school vehicle attendant, unless the attendant is a certain employee or a certain individual assigned or authorized to work with a certain student under certain circumstances, or has certain authorization, and is in possession of certain identification; and generally relating to school vehicle attendants.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–816  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Rule 116. Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

- (1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and
- (2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

Senate Rule 116 was read only.

Senator Kittleman moved, duly seconded, to make the **Senate Rule 116** a Special Order for January 30, 2013.

The motion was adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 41 Members present.

(See Roll Call No. 54)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #4**

**Senate Bill 53 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – Administrative Review of Contested Cases**

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

Affirmative – 41    Negative – 0    (See Roll Call No. 55)

The Bill was then sent to the House of Delegates.

**Senate Bill 54 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Scholarship Funds – Technical  
Alterations**

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

Affirmative – 41    Negative – 0    (See Roll Call No. 56)

The Bill was then sent to the House of Delegates.

**Senate Bill 55 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Private Career Schools – Solicitor Permits – Repeal**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 57)

The Bill was then sent to the House of Delegates.

**Senate Bill 56 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Unauthorized Institutions of Postsecondary Education – Transcripts,  
Diplomas, and Grade Reports – Penalties**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 58)

The Bill was then sent to the House of Delegates.

**Senate Bill 59 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Natural Resources – Fish and Fisheries**

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

Affirmative – 41    Negative – 0    (See Roll Call No. 59)

The Bill was then sent to the House of Delegates.

**Senate Bill 60 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Housing and Community  
Development)**

AN ACT concerning

**Community Development Administration – Residential Mortgage Loans –  
Financial Assistance for Families of Limited Income**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 60)

The Bill was then sent to the House of Delegates.

**Senate Bill 62 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Housing and Community  
Development)**

AN ACT concerning

**Community Legacy Program – Application Requirements – Approval by  
Authorized Designee**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 61)

The Bill was then sent to the House of Delegates.

**Senate Bill 63 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Higher Education  
Commission)**

AN ACT concerning

**Maryland Higher Education Commission – Institutional Renewal Fees and  
Religious Educational Institutions**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 62)

The Bill was then sent to the House of Delegates.

**Senate Bill 64 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Controlled Hazardous Substance Vehicles – Display of Certificates**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 63)

The Bill was then sent to the House of Delegates.

**THIRD READING CALENDAR (SENATE BILLS) #5**

**Senate Bill 4 – Senator Pugh**

AN ACT concerning

**State Personnel – Applicants for Employment – Criminal History Records  
Checks**

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

Affirmative – 33    Negative – 9    (See Roll Call No. 64)

The Bill was then sent to the House of Delegates.

**Senate Bill 80 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Public Health – Prescription Drug Monitoring Program – Disclosure of Prescription Monitoring Data**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 65)

The Bill was then sent to the House of Delegates.

**Senate Bill 81 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Education and Workforce Training Coordinating Council for Correctional Institutions – Membership**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 66)

The Bill was then sent to the House of Delegates.

**Senate Bill 82 – Chair, Finance Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Elevator Safety ~~Review Board~~ – Third-Party Inspectors – Certification**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 67)

The Bill was then sent to the House of Delegates.



**Senate Bill 83 – Chair, Finance Committee (By Request – Departmental – Aging)**

AN ACT concerning

**Department of Aging – Aging and Disability Resource Center Program – Maryland Access Point**

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

Affirmative – 42    Negative – 0    (See Roll Call No. 68)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 42 Members present.

(See Roll Call No. 69)

**ADJOURNMENT**

At 10:36 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, January 25, 2013.

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**Annapolis, Maryland**  
**Friday, January 25, 2013**  
**11:00 A.M. Session**

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The Senate met at 11:04 A.M.

Prayer by Reverend Doctor William Gilroy, St. John Lutheran Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 24, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Miller, Montgomery, Muse, and Jones–Rodwell be excused from today’s session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 81)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 152 – Senator David R. Brinkley:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Middletown High School Football Team  
in recognition of  
winning the Maryland Class 2A Championship. Congratulations on an incredible and  
undefeated season!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 25th day of January 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 43    Negative – 0    (See Roll Call No. 82)

**INTRODUCTION OF BILLS**

**Senate Bill 360 – Senators Simonaire, Colburn, Ferguson, Forehand, Gladden, Glassman, Jacobs, Jennings, Madaleno, Montgomery, Raskin, Reilly, Shank, Stone, and Young**

AN ACT concerning

**Criminal Law – Aggravated Animal Cruelty – Baiting**

FOR the purpose of prohibiting a person from using or allowing a dog to be used for baiting; prohibiting a person from possessing, owning, selling, transporting, or training a dog with the intent to use the dog for baiting; prohibiting a person from knowingly allowing certain premises to be used for baiting; defining a certain term; and generally relating to dogfights and baiting.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 10–607  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 361 – Senators Pinsky, Colburn, Ferguson, Kittleman, Montgomery, and Raskin**

AN ACT concerning

**Congressional Districting Process**

FOR the purpose of requiring the Department of Legislative Services to obtain certain census data, adjust the census data for certain purposes, and provide the adjusted census data to a temporary redistricting commission within a certain time period; creating a temporary redistricting commission; providing for the membership of the commission and the qualifications of its members; providing that individuals cease to be members of the commission under certain circumstances; requiring the Department to staff and provide certain support for the commission; requiring the commission to use certain census data to prepare and adopt a districting plan for congressional districting within a certain time period; specifying that a certain districting plan is the plan for the State; requiring that a certain districting plan be filed with the Secretary of State within a certain time period; providing for the effectiveness of a certain districting plan; making this Act subject to a certain contingency; defining certain terms; and generally relating to the establishment of districts in Maryland for the election of members of Congress.

BY adding to

Article – Election Law

Section 8–6A–01 through 8–6A–04 to be under the new subtitle “Subtitle 6A.  
Congressional Districting Process”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 362 – Senator Young**

AN ACT concerning

#### **Sales and Use Tax – Motor Fuel – Local Transportation Tax**

FOR the purpose of authorizing the governing body of a county or a municipal corporation to impose a sales and use tax on motor fuel for the purpose of financing local road and transit capital projects; defining the county or municipal corporation sales and use tax on motor fuel authorized by this Act as a “local transportation tax”; providing that the local transportation tax rate may not exceed a certain amount; providing that State laws and regulations applicable to the State sales and use tax apply to a local transportation tax; requiring the Comptroller to collect a local transportation tax and distribute the revenue to the county or municipal corporation where the tax was collected; prohibiting a local transportation tax from being imposed within a municipal corporation by both a county and the municipal corporation; requiring a county to take certain actions before imposing a local transportation tax within a municipal corporation; requiring a municipal corporation to take certain actions before imposing a local transportation tax if the county already imposes a local transportation tax in the municipal corporation; requiring that revenue attributable to a local transportation tax be used only for transportation capital projects in the county or municipal corporation where the tax is collected; authorizing the governing body of a county or municipal corporation to establish the local transportation tax rate and allocate the revenue raised by a local transportation tax to projects of its choosing; requiring the Department of Transportation to give preference to projects to which a county or municipal corporation proposes to contribute funds raised by a local transportation tax when selecting projects for inclusion in the Consolidated Transportation Program; making conforming changes; defining certain terms; and generally relating to authorizing a county or a municipal corporation to impose a sales and use tax on motor fuel to finance local transportation capital projects.

BY adding to

Article – Tax – General

Section 2–1302.2, 11–102.1, and 11–104(b–1)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 11–102(a) and 11–104(a) and (b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–102(c) and 11–221(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 2–103.1(c)(5)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 2–103.1(c)(6)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 363 – Senators Young and Brinkley**

AN ACT concerning

**Creation of a State Debt – Frederick County – Color on the Creek  
Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$20,000, the proceeds to be used as a grant to the Board of Directors of Friends of Carroll Creek Urban Park, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 364 – Senators Young, Benson, Madaleno, Manno, Montgomery,  
Reilly, and Rosapepe**

AN ACT concerning

**Agriculture – Management–Intensive Farming and Grazing**

FOR the purpose of requiring the University of Maryland Cooperative Extension Service to provide a dedicated extension agent to assist individuals with the adoption of management–intensive farming and grazing practices; requiring the Governor to provide a certain level of funding each year to support the Department of Agriculture’s activities related to management–intensive farming and grazing, beginning in a certain fiscal year; authorizing the Governor to make appropriations from the Bay Restoration Fund and the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund for certain purposes; authorizing the Department of Agriculture to use its allocation from the Bay Restoration Fund to fund management–intensive grazing activities; including management–intensive grazing in the definition of a “nonpoint source control project” eligible for funding from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund; and generally relating to management–intensive farming and grazing.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 8–702  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 8–703  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1605.2(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1605.2(h)(2)(ii) and (i)(2)(ix)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–2A–01(c)

Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 8–2A–02(a) and (b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 365 – Senators Raskin, Frosh, Jones–Rodwell, Montgomery, Peters, Pugh, and Robey**

AN ACT concerning

**Income Tax Credit – Web Site Modifications – Accessibility for the Blind**

FOR the purpose of allowing an individual or a corporation a credit against the State income tax for certain costs associated with making certain Web sites accessible to blind individuals; requiring an individual or a corporation that claims the credit to provide verification of the amount of the costs; making the credit refundable; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to an income tax credit for making Web sites accessible to the blind.

BY adding to  
Article – Tax – General  
Section 10–733  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 366 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Extinguishment or Redemption of Ground Rents**

FOR the purpose of altering the scope of a certain procedure in law that authorizes Baltimore City to apply to the State Department of Assessments and Taxation in order to extinguish or redeem a ground rent on property acquired by Baltimore City under certain circumstances; altering the contents of a certain affidavit required in a certain procedure to extinguish or redeem a ground rent

on property acquired by Baltimore City under certain circumstances; altering the scope of a certain procedure to authorize a landlord of abandoned or distressed property acquired by Baltimore City to collect a certain redemption amount under certain circumstances; and generally relating to ground rents in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–110  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 367 – Senator Jacobs**

AN ACT concerning

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

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

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 6–205(a)(1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Election Law  
Section 6–205(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Government  
Section 10–616(v)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)



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

**Senate Bill 368 – Senators Peters and DeGrange**

AN ACT concerning

**Maryland Stem Cell Research Fund – Annual Report – Government  
Transparency Requirements**

FOR the purpose of requiring the Maryland Stem Cell Research Fund annual report to include information on each award recipient's employer, certain award recipients' research results, and certain award tracking information; and generally relating to the Maryland Stem Cell Research Fund annual report.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–442  
Annotated Code of Maryland  
(2008 Volume and 2012 Supplement)

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

**Senate Bill 369 – Senator Edwards**

AN ACT concerning

**Garrett County – Bonds for Garrett County Memorial Hospital**

FOR the purpose of authorizing and empowering the County Commissioners of Garrett County, from time to time, to borrow not more than \$15,000,000 in order to assist in the financing of the cost of certain hospital improvements in Garrett County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County and directing the County to enter into an agreement with the Board of Governors of Garrett County Memorial Hospital for the payment of debt service requirements of the bonds from the revenues of the Garrett County Memorial Hospital; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of

Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

**Senate Bill 370 – Senator Edwards**

EMERGENCY BILL

AN ACT concerning

**Garrett County – County Commissioners – Industrial Wind Energy  
Conversion Systems**

FOR the purpose of requiring that certain industrial wind energy conversion systems comply with certain setback requirements; authorizing certain variances under certain circumstances; requiring that before a permit is issued for certain industrial wind energy conversion systems, the Garrett County Department of Planning and Land Development retain at the applicant's expense a certain professional engineer to prepare a certain cost estimate and require the applicant to post a certain bond; requiring that the bond be held as surety for certain purposes; requiring, on completion of the construction of certain industrial wind energy conversion systems and on a certain periodic basis, the Department to retain at the applicant's expense a certain professional engineer for certain purposes; authorizing the Department to alter the amount of a certain bond under certain circumstances; providing for the release of a bond under certain circumstances; authorizing the Department to require a certain owner to decommission and restore a certain pad site under certain circumstances; authorizing the use of a certain bond under certain circumstances; defining certain terms; providing that a certain rule, regulation, law, or ordinance for zoning of industrial wind energy conversion systems supersedes this Act; providing for the application of this Act; making this Act an emergency measure; and generally relating to wind turbines in Garrett County.

BY adding to

Article 25 – County Commissioners  
Section 236G  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 371 – Senator Edwards**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Sunday Sales**

FOR the purpose of specifying that certain provisions of law concerning the Sunday sale of alcoholic beverages in Garrett County apply to a precinct of an election district in which the voters in a referendum authorized by law approve Sunday sales; specifying that certain provisions of law concerning Sunday sales apply to a holder of a Class D license operating an establishment that meets certain specifications; providing for certain fees; making technical and stylistic changes; and generally relating to alcoholic beverages sales in Garrett County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 11–512(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 11–512(c)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 372 – Senator Robey**

AN ACT concerning

**Health Occupation Boards – Criminal History Records Checks – General Authority**

FOR the purpose of authorizing a health occupation board to adopt regulations requiring applicants for an initial license or certificate to have a criminal history records check in accordance with certain provisions of this Act; authorizing a health occupation board to adopt regulations requiring certain applicants for reinstatement of a lapsed license or certificate, removal from inactive status, or renewal of a license or certificate to have a criminal history records check in accordance with certain provisions of this Act; requiring an applicant to submit certain fingerprints and fees to obtain a criminal history records check; providing that information obtained in a criminal history records check is confidential, may not be disseminated, and may be used only for a certain purpose; authorizing certain individuals to contest certain information received from a criminal history records check; defining a certain term; and generally relating to general authority of health occupations boards to require criminal history records checks.

BY adding to

Article – Health Occupations  
Section 1–220  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 373 – Senators Ferguson, Benson, Conway, Forehand, Frosh, Garagiola, Gladden, Jones–Rodwell, King, Klausmeier, Madaleno, Manno, McFadden, Pinsky, Pugh, and Raskin**

AN ACT concerning

### **Early Voting Access Act of 2013**

FOR the purpose of increasing the number of early voting centers that are required to be established in each county for a regularly scheduled general election; authorizing the State Board of Elections, in collaboration with the local boards of elections, to increase the number of early voting centers in each county for a regularly scheduled primary election; requiring that early voting centers be open for certain days and hours before regularly scheduled primary and general elections; and generally relating to early voting.

BY repealing and reenacting, with amendments,

Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 374 – Senators Astle, Ferguson, Forehand, Garagiola, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Pugh, Ramirez, and Zirkin**

AN ACT concerning

### **Consumer Protection – Children’s Online Privacy Protection**

FOR the purpose of prohibiting a person from violating the federal Children’s Online Privacy Protection Act; prohibiting certain persons who engage in certain activities relating to the Internet or an online service from using certain information to display or transmit an advertisement for a product or service to certain children under certain circumstances; providing that a violation of this

Act is an unfair or deceptive trade practice under the Maryland Consumer Protection Act and is subject to certain enforcement actions and penalties; authorizing an individual who is affected by a violation of this Act to bring an action against the person that violates this Act to recover reasonable attorney's fees and damages in a certain amount; defining certain terms; and generally relating to the protection of children's online privacy.

BY adding to

Article – Commercial Law

Section 14–4001 through 14–4004 to be under the new subtitle “Subtitle 40. Children's Online Privacy Protection”

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 375 – Senator Middleton**

AN ACT concerning

#### **Commercial Law – Maryland Credit Services Businesses Act – Scope**

FOR the purpose of altering the definition of “credit services business” for purposes of the Maryland Credit Services Businesses Act to exclude a person licensed by the State as an associate real estate broker or a real estate salesperson; and generally relating to the Maryland Credit Services Businesses Act.

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 14–1901(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 14–1901(e)(3)

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 376 – Senators King, Manno, Montgomery, Peters, Ramirez, and Raskin**

AN ACT concerning

#### **Public Safety – Emergency Management – Essential Goods and Services**

FOR the purpose of prohibiting a person from selling or offering to sell certain goods and services for a certain price during a state of emergency; prohibiting a person from selling or offering to sell certain services for a certain price during a state of emergency and for a certain amount of time following a state of emergency; creating a certain exception; requiring the Office of the Attorney General to provide a person an opportunity to present evidence that a price increase was not unlawful; establishing that certain matters and allegations are confidential under certain circumstances and may not be disclosed to certain persons; providing that a certain sale or offer for sale is an unfair or deceptive trade practice; altering a certain definition; defining certain terms; and generally relating to the sale of goods and services during or following a state of emergency.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 14–101(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 14–101(c)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Public Safety  
Section 14–1101 through 14–1104 to be under the new subtitle “Subtitle 11.  
Essential Goods and Services”  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 377 – Senators King, Ferguson, Kelley, Klausmeier, Montgomery,  
and Stone**

AN ACT concerning

**Criminal Law – Fourth–Degree Sex Offense – School Employees and  
Contractors**

FOR the purpose of altering the definition of “person in a position of authority” relating to prohibiting an individual from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances to remove a limitation to full–time employees and to include certain contractors or

persons employed by or under contract with contractors; and generally relating to a sexual offense involving a person in a position of authority and a minor under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–307  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–308  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 378 – Senator Jacobs**

AN ACT concerning

#### **Vehicle Laws – Operation of Vehicle on Approach of Tow Truck**

FOR the purpose of requiring drivers approaching a tow truck that is stopped, standing, or parked on a highway and using certain visual signals, unless otherwise directed by a police officer or traffic control device, to make a lane change into an available lane not immediately adjacent to the tow truck under certain circumstances or to slow to a reasonable and prudent speed that is safe for certain existing conditions under certain circumstances; and generally relating to the rules of the road when approaching tow trucks.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–405(e)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 22–218(c)(6) and (11)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 379 – Senator Jacobs**

AN ACT concerning

**Regulations – Prohibition on Proposal and Adoption – Substantially Same Content as Failed Bill**

FOR the purpose of prohibiting a unit in the Executive Branch of State government from proposing or adopting a regulation under certain circumstances; and generally relating to proposal and adoption of regulations.

BY adding to

Article – State Government

Section 10–109.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 380 – Senators Muse, Colburn, Conway, Dyson, Ferguson, Jacobs, Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pugh, Raskin, Simonaire, Stone, Young, and Zirkin**

AN ACT concerning

**Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer**

FOR the purpose of requiring the Department of Health and Mental Hygiene, in consultation with the Department of the Environment, to convene a certain workgroup to examine certain issues; requiring the workgroup to include certain representatives; requiring the Department of Health and Mental Hygiene to report the findings and any recommendations of the workgroup to the Governor and the General Assembly on or before a certain date; and generally relating to cancer clusters and environmental causes of cancer.

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

**Senate Bill 381 – Senator Muse**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Potomac High School Stadium and Track Construction**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$1,500,000, the proceeds to be used as a grant to the Board of Education of



Prince George's County for certain development or improvement purposes; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 382 – Senators Brochin and Raskin**

AN ACT concerning

**Mental Health – Emergency Evaluations – Surrender of Firearms**

FOR the purpose of requiring that a petition for emergency evaluation of a certain individual include, under certain circumstances, a statement of whether the individual has possession of or access to firearms; authorizing a court, under certain circumstances, to order an emergency evaluatee to surrender certain firearms to a certain peace officer; requiring a peace officer, under certain circumstances, to take certain firearms; and generally relating to the emergency evaluation of an individual for mental health reasons.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 10–622 and 10–623  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Health – General  
Section 10–623.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 10–624  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 383 – Senators Raskin, Benson, Colburn, Ferguson, Forehand, Frosh, Jones–Rodwell, King, Madaleno, Manno, Montgomery, Muse, Peters, Pugh, Ramirez, Rosapepe, and Stone**

AN ACT concerning

**Real Property – Stopping Fraud in Mortgage Assistance Relief Services Act  
of 2013**

FOR the purpose of requiring certain mortgage assistance relief service providers to comply with certain provisions of federal law; authorizing the Attorney General or the Commissioner of Financial Regulation to seek an injunction to prohibit a violation of certain provisions of this Act; authorizing the Attorney General and the State’s Attorney to conduct the criminal investigation and prosecution of mortgage assistance relief services violations under certain provisions of this Act; authorizing a private right of action for a violation of certain provisions of this Act under certain circumstances; establishing the venue for certain actions; imposing certain penalties for a violation of certain provisions of this Act under certain circumstances; establishing that a certain exception applies only to certain individuals; defining certain terms; establishing that this Act supersedes certain provisions of law under certain circumstances; and generally relating to mortgage assistance relief services.

BY adding to

Article – Real Property

Section 7–501 through 7–510 to be under the new subtitle “Subtitle 5. Mortgage Assistance Relief Services”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 384 – Senators Pugh, Astle, Benson, Conway, Currie, DeGrange, Dyson, Forehand, Garagiola, Getty, Glassman, Jacobs, Jones–Rodwell, Kelley, King, Kittleman, Klausmeier, Madaleno, Mathias, McFadden, Montgomery, Muse, Peters, Raskin, Robey, and Stone**

AN ACT concerning

**Economic Development – Sickle Cell Disease Research Program**

FOR the purpose of establishing the Sickle Cell Disease Research Program to be administered by the Maryland Technology Development Corporation to provide grants for certain sickle cell disease research projects; establishing the purposes of the Program; establishing the Sickle Cell Disease Research Fund in the Corporation; providing for the purpose and composition of the Fund; requiring the Executive Director of the Corporation or the Executive Director’s designee to administer the Fund; requiring the State Treasurer to invest money in the Fund; providing that earnings of the Fund shall be credited to the Fund; establishing certain types of grants to be awarded under the Program; requiring the Corporation to adopt certain regulations; requiring the Corporation to include certain information in a certain report to the Governor and General

Assembly; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining certain terms; and generally relating to the creation of a program for sickle cell disease research.

BY adding to

Article – Economic Development

Section 10–463 through 10–468 to be under the new part “Part VI. Sickle Cell Disease Research Program”

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)69. and 70.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)71.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 385 – Senators Pugh, Astle, Ferguson, Forehand, Kasemeyer, Kelley, Kittleman, Klausmeier, Manno, Middleton, Peters, and Ramirez**

AN ACT concerning

**State Government – Health, Education, and Social Services Provider Data Warehouse**

FOR the purpose of requiring the State to authorize private sector development of a certain data warehouse for certain providers; authorizing a certain provider to store certain information in the data warehouse; prohibiting a certain provider from using the data warehouse for certain purposes; authorizing a certain provider to provide a State agency with certain information in a certain manner; requiring a State agency to accept a certain submission as the equivalent of certain documents; prohibiting a State agency from requiring a certain provider to use the data warehouse; requiring a provider that uses the data warehouse to ensure that the data is current and accessible to a certain State agency; authorizing a State agency to request additional or updated information from a certain provider under certain circumstances; requiring a provider to submit certain information to a certain State agency within a certain period of time after receiving a request from the agency; requiring

access to the data warehouse to be provided to a State agency free of charge; defining certain terms; and generally relating to a health, education, and social services provider data warehouse.

BY adding to

Article – State Government

Section 10–645 to be under the new part “Part VI. Health, Education, and Social Services Provider Data Warehouse”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

### QUORUM CALL

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 83)

### ADJOURNMENT

At 11:15 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Monday, January 28, 2013.

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**Annapolis, Maryland**  
**Monday, January 28, 2013**  
**8:00 P.M. Session**

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The Senate met at 8:02 P.M.

Prayer by Reverend Clare L. Petersberger, Towson Unitarian Universalist Church, guest of Senator Brochin.

(See Exhibit A of Appendix III)

The Journal of January 25, 2013 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 85)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 55 – Senator Lisa A. Gladden:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Detective Julie Pitocchelli  
in recognition of  
her perseverance and steadfast dedication to protecting our vulnerable elder  
population exhibited when she tracked a criminal to Africa to ensure justice was  
served.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 28th day of January 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 86)

**INTRODUCTION OF BILLS****Senate Bill 386 – Senator Middleton**

AN ACT concerning

**Department of Health and Mental Hygiene – Study of Paratransit Services  
for Dialysis Patients**

FOR the purpose of requiring the Department of Health and Mental Hygiene to conduct a certain study of paratransit services provided for dialysis patients in the State; requiring the study to make certain determinations and evaluate scheduling of certain dialysis treatments; requiring the Department to report the findings and any recommendations based on the study to the Governor and certain committees of the General Assembly on or before a certain date; and generally relating to a study of paratransit services for dialysis patients in the State.

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

**Senate Bill 387 – Senators Kelley, Forehand, Getty, Gladden, King,  
Montgomery, Pugh, Ramirez, Raskin, Shank, and Stone**

AN ACT concerning

**Crimes – Identification Theft – Vulnerable Children**

FOR the purpose of prohibiting a person, with fraudulent intent, from knowingly and willfully possessing, obtaining, or helping another to possess or obtain certain personal identifying information of a certain vulnerable child in order to use, sell, or transfer the information to get a benefit, credit, good, service, or other thing of value in the name of the child; prohibiting a person, with fraudulent intent, from knowingly and willfully assuming the identity of a vulnerable child to get a benefit, credit, good, service, or other thing of value; prohibiting a person, with fraudulent intent, from knowingly and willfully assuming the identity of a vulnerable child to avoid the payment of a debt or other legal obligation or to avoid identification, apprehension, or prosecution for a crime; establishing penalties for a violation of this Act; establishing that a sentence imposed under this Act may be separate from and consecutive to or concurrent with a sentence for any crime based on the act or acts establishing the violation of this Act; establishing that a prosecution for a violation of this Act or for a crime based on the act establishing a violation of this Act may be commenced in a county in which an element of the crime occurred or the victim resides; defining certain terms; and generally relating to identification theft.

BY adding to

Article – Criminal Law

Section 8-306  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 388 – Senators Kelley, Forehand, Getty, Gladden, King,  
Montgomery, Pugh, Raskin, Shank, and Stone**

AN ACT concerning

**Victims of Crime – Identity Theft Passport – Children**

FOR the purpose of requiring the Department of Human Resources to assist a child who has been identified as a victim of identity fraud to apply for an identity theft passport under certain circumstances; requiring the Department of Juvenile Services to assist a child who has been identified as a victim of identity fraud to apply for an identity theft passport under certain circumstances; defining certain terms; and generally relating to identity fraud.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 5-501(f) through (h)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 8-305  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 389 – Senators Raskin, Forehand, and Rosapepe**

AN ACT concerning

**Vehicle Laws – Speed Monitoring Systems – Enforcement**

FOR the purpose of authorizing certain persons to sign a statement that alleges, based on inspection of recorded images from a speed monitoring system, that a motor vehicle was being operated in violation of highway speed laws; authorizing certain persons to swear to and affirm for evidentiary purposes, based on inspection of recorded images from a speed monitoring system, that a motor vehicle was being operated in violation of highway speed laws; prohibiting certain persons from receiving any salary or payments for services from a

certain contractor; and generally relating to the enforcement of highway speed laws using speed monitoring systems.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 21–809(a)(1) and (2) and (b)(1)(i) and 21–810(b)(1)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 21–809(d)(1), (e)(1), and (j) and 21–810(d)(1), (e)(1), and (j)

Annotated Code of Maryland

(2012 Replacement Volume)

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

### **Senate Bill 390 – Senator Raskin**

AN ACT concerning

#### **Health – Food Allergy Awareness**

FOR the purpose of requiring certain food establishments to display, in a certain manner and location, a certain poster relating to food allergies and to include on a menu provided by the food establishment a notice to a customer that the customer should inform the server of any food allergies; requiring, on or before a certain date, the Department of Health and Mental Hygiene, in consultation with certain entities, to create and make available on its Web site a certain poster and certain notice; requiring certain individuals to view a certain video and be knowledgeable about certain issues concerning food allergies and food preparation under certain circumstances; requiring the Department, in consultation with certain entities, to develop a certain program for food establishments to be designated as food allergy friendly, issue certain guidelines and requirements regarding the program, and maintain and make available to the public on its Web site a certain list of food establishments; authorizing the Department to adopt regulations to carry out certain provisions of this Act; requiring the Governor to annually proclaim a certain week as Food Allergy Awareness Week; requiring the Department, in consultation with certain entities, to report to certain committees of the General Assembly on or before a certain date regarding the impact of certain provisions of this Act; defining a certain term; and generally relating to food allergy awareness.

BY adding to

Article – Health – General

Section 21–330.2

Annotated Code of Maryland



(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Government

Section 13–601 to be under the new subtitle “Subtitle 6. Commemorative Weeks”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 391 – Senators Pipkin, Brinkley, and Colburn**

AN ACT concerning

**Sustainable Growth and Agricultural Preservation Act of 2012 – Repeal**

FOR the purpose of repealing the Sustainable Growth and Agricultural Preservation Act of 2012 (the Act); repealing certain provisions of law relating to the adoption of certain growth tier designations by certain local jurisdictions; repealing certain provisions of law relating to the authorization of certain subdivisions by a local jurisdiction under certain circumstances; repealing certain provisions of law relating to the resolution of conflicting growth tier designations; repealing a prohibition against the sale or development of certain land unless certain documentation is provided to the Department of the Environment; repealing certain provisions of law relating to the prohibition against the subdivision or resubdivision of a certain tract, parcel of land, or subdivision under certain circumstances, and certain exceptions to the prohibition; repealing the authorization of a local jurisdiction to enact a local law or ordinance for the transfer of certain rights of an owner to subdivide certain property used for agricultural activities under certain circumstances; repealing certain requirements for the approval of a shared facility or community sewerage system; repealing certain mandatory and certain discretionary provisions relating to the adoption of certain growth tiers by certain jurisdictions; repealing the requirement that a local jurisdiction provide documentation to the Department of Planning if the jurisdiction does not adopt a certain tier; repealing the requirement that a local legislative body or planning board hold a certain hearing in certain circumstances; repealing the requirement that a planning board make a certain recommendation under certain circumstances; repealing the requirement that growth tiers adopted by a local jurisdiction meet certain criteria; repealing the requirement that under certain circumstances a local jurisdiction alter the contents of a certain plan; repealing the prohibition against the approval of a certain subdivision unless a planning board reviews and recommends approval under certain circumstances; repealing the requirement that a planning board hold a certain hearing under certain circumstances; repealing the requirement that a planning board review a certain subdivision; repealing the requirement that a planning board

recommend a certain subdivision in a certain manner; repealing certain provisions of law relating to the verification by the Department of Planning of a certain yield for zoning; repealing a requirement that each local jurisdiction submit to the Department of Planning a certain definition or description on or before a certain date; repealing a requirement that the Department of Planning prepare a list of certain definitions and descriptions for publication on certain Web sites on or after a certain date; repealing certain provisions of law relating to the requirement that the Department of the Environment propose certain regulations on or before a certain date; repealing a certain provision of law requiring the Department of Planning, in consultation with the Department of the Environment, to submit a certain report to the General Assembly by a certain date; repealing certain defined terms; repealing certain provisions of law relating to the application of certain provisions of the Act; repealing certain provisions of law relating to the construction of the Act; and generally relating to the subdivision of land and planning for growth.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–206  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Environment  
Section 9–1110  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Land Use  
Section 1–401 and 5–105  
Annotated Code of Maryland  
(2012 Volume)

BY repealing  
Article – Land Use  
Section 1–501 through 1–509 and the subtitle “Subtitle 5. Growth Tiers”; and  
5–104  
Annotated Code of Maryland  
(2012 Volume)

BY repealing  
Chapter 149 of the Acts of the General Assembly of 2012  
Section 4 through 9

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

**Senate Bill 392 – Cecil County Senators**

AN ACT concerning

**Cecil County – Alcoholic Beverages – Refillable Containers**

FOR the purpose of creating in Cecil County a refillable container license; authorizing the Cecil County Board of License Commissioners to issue the license to a holder of a Class A or Class B alcoholic beverages license; specifying that a holder of the license may sell draft beer for consumption off the licensed premises in a certain refillable container; requiring a refillable container to meet certain requirements; requiring an applicant for a license to complete a certain form and pay a certain fee; specifying the term of the license; requiring that receipts collected under the license be included in a certain calculation of average daily receipts; specifying the hours of sale for the license; allowing a holder of the license to refill only a refillable container that bears the identifying mark of the license holder; requiring the Board of License Commissioners to adopt certain regulations; and generally relating to the creation of a refillable container license in Cecil County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 7–101(l)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article 2B – Alcoholic Beverages  
Section 7–101(l)(8)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 393 – Senator Edwards**

AN ACT concerning

**Creation of a State Debt – Allegany County – Allegany County Animal Shelter Adoption and Care Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Allegany County Animal Shelter Management Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds,

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

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

### **Senate Bill 394 – Senator Zirkin**

AN ACT concerning

#### **Possession of Marijuana – Maximum Penalties**

FOR the purpose of altering the maximum penalties for possession of marijuana; making the possession of marijuana a civil offense; repealing a provision of law authorizing a defendant to introduce and the court to consider as a mitigating factor any evidence of medical necessity in a certain prosecution; making conforming changes; and generally relating to possession of marijuana.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–601  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 395 – Senator Zirkin**

AN ACT concerning

#### **Juvenile Services – State–Licensed Facilities – Size Limit Exception – Repeal**

FOR the purpose of altering an exception that allows a committed facility licensed by the Department of Juvenile Services to serve more than a certain number of children at one time under certain circumstances; and generally relating to State–licensed juvenile facilities.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 9–238.1(a)  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

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

**Senate Bill 396 – Senator Zirkin**

AN ACT concerning

**Real Property – Use of Coercion, Threat, or Intimidation – Contracts Void**

FOR the purpose of prohibiting a person from coercing, threatening, or intimidating a property owner in a certain manner to induce that property owner to enter into a certain contract; establishing that a contract entered into in violation of this Act is void; establishing that, if a person violates this Act, certain contracts entered into for the same project are also void; authorizing a property owner to bring a certain action in a certain circuit court; authorizing the court, if it finds that a person has violated this Act, to award damages not exceeding a certain amount and order the person to pay certain costs and attorney's fees; defining a certain term; providing for the application of this Act; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to certain contracts entered into through coercion, threat, or intimidation.

BY adding to

Article – Real Property

Section 10–711

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 397 – Senator Zirkin**

AN ACT concerning

**Condemnation Proceedings – Compensation and Payment of Fees**

FOR the purpose of establishing that damages to be awarded when land, or any part of it, is taken in a certain condemnation proceeding by a certain entity is three times the fair market value of the part taken; authorizing the fair market value of property in condemnation proceedings by certain entities to be determined in a certain manner; requiring the condemnation authority to pay all costs of a certain appraisal; requiring the plaintiff in a condemnation proceeding to pay reasonable legal, expert, appraisal, and engineering fees actually incurred by the defendant; defining a certain term; and generally relating to compensation and payment of fees by certain private companies and public service companies in condemnation proceedings.

BY repealing and reenacting, with amendments,

Article – Real Property

Section 12–104, 12–105, and 12–106

Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 398 – Senator Zirkin**

AN ACT concerning

**Courts and Judicial Proceedings – Jurisdiction over Eminent Domain Cases  
– Circuit Court**

FOR the purpose of establishing that a circuit court has exclusive, original jurisdiction over all proceedings for the acquisition of private property for public use by condemnation; providing that certain provisions of this Act establishing jurisdiction apply to property acquired for public use by a private company by the exercise of certain authority granted under federal law; and generally relating to jurisdiction over eminent domain cases.

BY adding to

Article – Real Property

Section 12–101.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 399 – Senator Astle**

AN ACT concerning

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

FOR the purpose of making certain provisions of law relating to the Motor Vehicle Administration’s collection and electronic forwarding of Selective Service registration information gender–neutral and expanding their applicability to certain minors; altering the conditions under which certain information about an applicant is forwarded to the Selective Service System; altering the contents of the statement the Administration is required to include on an application for a driver’s license or an identification card; requiring the Administration to forward certain information about certain applicants with a notation that a certain registration was refused; repealing a certain provision making the Administration’s collection and electronic forwarding of Selective Service registration information on certain individuals to the Selective Service System contingent on the Administration’s receipt of federal funds to pay for certain start–up costs; repealing a certain provision requiring the Motor Vehicle

Administrator to initiate and monitor efforts to obtain certain federal funds and to report to the Department of Legislative Services when a certain contingency is fulfilled; making certain technical corrections; and generally relating to the Motor Vehicle Administration and Selective Service registration.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 12–304

Annotated Code of Maryland

(2012 Replacement Volume)

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

BY repealing

Chapter 309 of the Acts of the General Assembly of 2002

Section 2 and 3

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

### **Senate Bill 400 – Senator Glassman**

AN ACT concerning

#### **Environmental Health Specialists – Licensure Examinations – Applicant Qualifications and Waiver**

FOR the purpose of altering a certain educational qualification that an applicant for licensure as an environmental health specialist may meet to qualify to be examined under a certain provision of law; altering the circumstances under which the State Board of Environmental Health Specialists may waive licensure examination requirements; altering the qualifications that an applicant must meet to qualify for a waiver of examination requirements under a certain provision of law; repealing a certain obsolete provision of law; and generally relating to licensure examinations for environmental health specialists.

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 21–304(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 21–304(b) and 21–306

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 401 – Senator Dyson**

AN ACT concerning

**Pharmacists – Administration of Vaccinations – Expanded Authority and Reporting Requirements**

FOR the purpose of altering the authority of pharmacists to administer certain vaccinations to certain individuals; authorizing a pharmacist to administer certain vaccinations to an individual in a certain age group who has a prescription or to an adult under a written protocol that meets certain requirements; altering a certain vaccination reporting requirement; requiring a pharmacist to inform certain health care practitioners that a vaccination has been administered; repealing a requirement that the State Board of Pharmacy, the State Board of Physicians, and the State Board of Nursing meet periodically and take certain actions relating to certain regulations; requiring the Secretary of Health and Mental Hygiene, in consultation with a workgroup of stakeholders, to study the feasibility and desirability of requiring certain health care providers who administer vaccinations to report the vaccinations to the ImmuNet Program; requiring the study to take certain factors into account; requiring the Secretary to submit the findings and recommendations of the study to certain legislative committees on or before a certain date; making certain conforming changes; providing for the effective dates of this Act; and generally relating to the authority of pharmacists to administer vaccinations and requiring reporting of vaccinations.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–508  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–508(a)(4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)  
(As enacted by Section 1 of this Act)

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

**Senate Bill 402 – Senators Frosh, Forehand, Garagiola, King, Madaleno, Manno, Montgomery, and Raskin**



AN ACT concerning

**Creation of a State Debt – Montgomery County – Wasserman Residence  
Phase 2 Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Governors of Charles E. Smith Life Communities, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 403 – Senator Stone**

AN ACT concerning

**Courts – Violation of Probation – Appeal on the Record**

FOR the purpose of providing that an appeal shall be heard on the record made in the District Court in a case in which the District Court determines that a criminal defendant violated probation; and generally relating to an appeal of a determination by the District Court of a violation of probation by a criminal defendant.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 12–401(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 404 – Senators Middleton, Brinkley, Colburn, DeGrange, Dyson,  
Edwards, Garagiola, Glassman, Jennings, Kasemeyer, King, Mathias,  
Montgomery, Pinsky, Reilly, Shank, and Young**

AN ACT concerning

**Income Tax – Subtraction Modification – Enhanced Agricultural  
Management Equipment**

FOR the purpose of providing certain subtraction modifications under the Maryland individual and corporate income tax for certain expenses incurred to buy and

install certain agricultural equipment under certain circumstances; consolidating certain provisions of law that provide certain Maryland income tax subtraction modifications for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances; providing for the application of this Act; and generally relating to certain Maryland income tax subtraction modifications for certain expenses incurred to buy and install certain agricultural equipment under certain circumstances.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–208(d) and 10–308(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Tax – General  
Section 10–208(m)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 405 – Senators Middleton, Garagiola, and Klausmeier**

AN ACT concerning

#### **Labor and Employment – Payment of Overtime Wages**

FOR the purpose of limiting the applicability of an overtime wage provision of law to exclude a certain employer that is subject to Title II of the federal Railway Labor Act, under certain circumstances; and generally relating to the payment of overtime wages.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–415  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 3–420  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 406 – Senators Brochin, Brinkley, Colburn, Edwards, Getty, Glassman, Jacobs, Jennings, Klausmeier, Pipkin, Shank, and Stone**

AN ACT concerning

**Income Tax – Rates and Exemptions**

FOR the purpose of altering the State income tax rate on certain income of individuals; altering the amount allowed as a deduction for certain exemptions under the Maryland income tax under certain circumstances; providing for the application of this Act; and generally relating to altering the State income tax rates and amount allowed as a deduction for certain exemptions.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(a) and 10–211  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 407 – Senator Brochin**

AN ACT concerning

**Real Property – Right to Redemption of Leased Premises – Forms of Payment**

FOR the purpose of authorizing a landlord or mobile home park owner to require a tenant or mobile home park resident to tender certain forms of payment in order to exercise the tenant's or resident's right to redemption of leased premises under certain circumstances; prohibiting a landlord or mobile home park owner from prohibiting a certain form of payment if certain notice requirements are not met; and generally relating to the right to redemption of leased premises.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8–401(e) and 8A–1701(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
The Public Local Laws of Baltimore City  
Section 9–5(b)(1)  
Article 4 – Public Local Laws of Maryland  
(1979 Edition and 1997 Supplement, and 2000 Supplement, as amended)

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

**Senate Bill 408 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Washington County – Special Deputy Sheriffs – Insurance Coverage**

FOR the purpose of establishing that county liability insurance shall be provided to a special deputy sheriff in Washington County only when the special deputy sheriff is performing certain duties; establishing that designation as a special deputy sheriff does not authorize the special deputy sheriff to perform law enforcement duties outside the special deputy sheriff's jurisdiction except under certain circumstances; establishing that a special deputy sheriff is under the authority of the Sheriff of Washington County while the special deputy sheriff is performing certain duties; and generally relating to special deputy sheriffs in Washington County.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(w)(4)(ii)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 2–309(w)(4)(iii) and (iv)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 409 – Senator Raskin**

AN ACT concerning

**Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act –  
Applicability**

FOR the purpose of altering the scope of the Maryland Mediation Confidentiality Act; authorizing a certain agreement to exclude certain mediation communications from the application of the Maryland Mediation Confidentiality Act; and generally relating to the Maryland Mediation Confidentiality Act.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–1802

Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 410 – Senators Raskin, Forehand, Madaleno, Ramirez, and Rosapepe**

AN ACT concerning

**Community Colleges – Cade Funding Formula – Grants for English for Speakers of Other Languages Programs**

FOR the purpose of removing the limit on the total amount of grants that may be distributed to certain community colleges to provide instruction and services to certain students enrolled in English for Speakers of Other Languages programs; and generally relating to grants for community colleges for English for Speakers of Other Languages programs.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 16–305(e)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 411 – Senators Garagiola, Astle, Colburn, DeGrange, Glassman, Jacobs, Klausmeier, Muse, Shank, and Young**

AN ACT concerning

**Corporate Income Tax – Rate Reduction**

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations over a certain period of years; and generally relating to the Maryland corporate income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 412 – Senators King, Benson, Forehand, Kelley, Madaleno, Manno, Montgomery, Pugh, and Raskin**

AN ACT concerning

**Agriculture – Lawn Care Pesticides – Child Care and School Facilities – Prohibition**

FOR the purpose of prohibiting, with a certain exception, a person from applying a lawn care pesticide on the grounds of certain child care facilities and schools; authorizing a person to apply a lawn care pesticide on the grounds of certain child care facilities and schools if the Secretary of Agriculture determines that the emergency application is necessary to eliminate an immediate threat to human health; prohibiting certain children from accessing an area treated with a lawn care pesticide for a certain time period; requiring certain child care facilities and schools to designate a certain contact person and keep a written record of any emergency application of a lawn care pesticide for a certain time period; requiring certain child care facilities and schools to provide a certain notice of the emergency application of a lawn care pesticide to each parent, guardian, and staff member within a certain time period; requiring the Department of Agriculture to adopt certain regulations; defining certain terms; and generally relating to the application of lawn care pesticides on the grounds of child care facilities and schools.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 5–201(a) and (l)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Agriculture  
Section 5–208.2  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 413 – Senators King, Benson, Colburn, Forehand, Jacobs, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, Robey, Shank, Stone, and Young**

AN ACT concerning

**Criminal History Records Checks – Informal Child Care Providers**

FOR the purpose of altering certain provisions of law relating to individuals required to obtain a criminal history records check; requiring an adult known to be residing in an informal child care provider's home to obtain a criminal history records check; requiring certain informal child care providers to obtain a criminal history records check; requiring the Department of Public Safety and Correctional Services to provide certain applicants' State criminal records to the State Department of Education; providing for a delayed effective date; and generally relating to criminal history records checks of individuals who care for or supervise children.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–561(c), 5–562(a), and 5–564(b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 414 – Senators King, Benson, Currie, Forehand, Garagiola, Jennings, Kelley, Klausmeier, Madaleno, Manno, Montgomery, Peters, and Pugh**

AN ACT concerning

**Higher Education – Tuition Waiver – Foster Care Recipients**

FOR the purpose of altering the definition of “foster care recipient”, for purposes of a certain tuition waiver, to include certain individuals who are placed into guardianship or who are adopted out of an out-of-home placement by a certain guardianship family; providing that certain foster care recipients are eligible for a certain tuition waiver if the recipient is enrolled in a vocational certificate program at a public institution of higher education in the State, subject to certain conditions; and generally relating to tuition waivers at institutions of higher education for foster care recipients.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–106.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 415 – Senators King, Benson, Colburn, Currie, Forehand, Jacobs, Kelley, Madaleno, Manno, Montgomery, Peters, Raskin, Robey, Rosapepe, Shank, Stone, and Young**

AN ACT concerning

**Criminal History Records Checks – Child Care Providers**

FOR the purpose of requiring the Department of Public Safety and Correctional Services to transmit weekly a certain registry and a certain listing to the State Department of Education in a certain format; prohibiting a registered sex offender from entering onto certain real property on which a home is located where certain informal child care is provided or will be provided; requiring certain adults known by the State Department of Education to be residing in certain locations to obtain a certain criminal history records check; requiring an adult known to be residing in an informal child care provider's home to obtain a criminal history records check; requiring certain informal child care providers to obtain a criminal history records check; requiring the State Department of Education to conduct a certain cross-reference; providing for a delayed effective date; and generally relating to criminal history records checks of individuals who care for or supervise children.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11-713 and 11-722  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5-561(c)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Family Law  
Section 5-564.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 416 – Senators Forehand, Jacobs, Kelley, Madaleno, and Montgomery**

AN ACT concerning

**Crimes – Solicitation to Commit Murder or Arson – Statute of Limitations**



FOR the purpose of providing that the statute of limitations for the crime of solicitation to commit murder in the first degree, murder in the second degree, arson in the first degree, or arson in the second degree is the statute of limitations for the prosecution of the substantive crime that is the subject of the solicitation; and generally relating to the statute of limitations for the crime of solicitation.

BY adding to

Article – Courts and Judicial Proceedings  
Section 5–106(dd)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 417 – Senators Forehand, Benson, Kelley, and Madaleno**

AN ACT concerning

**Family Law – Domestic Violence – Permanent Final Protective Orders**

FOR the purpose of requiring a court to issue a permanent final protective order against an individual who is sentenced to, instead of who served, a certain term of imprisonment for certain crimes under certain circumstances; adding the crime of assault in the second degree to the list of crimes, the commission of which subjects an individual to the issuance of a permanent final protective order against the individual under certain circumstances; and generally relating to domestic violence and permanent final protective orders.

BY repealing and reenacting, without amendments,

Article – Criminal Law  
Section 3–203  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law  
Section 4–506(k)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 418 – Senators Frosh, Conway, Gladden, Madaleno, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

**Small Claims – Examination in Aid of Enforcement – Prohibition on Arrest or Incarceration for Failure to Appear**

FOR the purpose of prohibiting an individual from being arrested or incarcerated for failure to respond to certain orders to appear in court relating to an examination in aid of enforcement of a money judgment entered in a small claim action in the District Court; providing for the application of this Act; and generally relating to enforcement of certain money judgments.

BY adding to

Article – Courts and Judicial Proceedings

Section 11–704

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 419 – Senators Frosh, Conway, Gladden, Madaleno, Pinsky, Raskin, and Rosapepe**

AN ACT concerning

**Civil Actions – Examination in Aid of Enforcement – Procedure After Arrest for Failure to Appear**

FOR the purpose of requiring that an individual arrested for failure to appear in court to show cause why the individual should not be found in contempt for failure to appear for an examination in aid of enforcement of a money judgment be taken immediately before a certain court or before a certain judicial officer for a certain determination; providing for the application of this Act; and generally relating to arrest for failure to appear in court in response to certain show cause orders.

BY adding to

Article – Courts and Judicial Proceedings

Section 6–411

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 420 – Senators Frosh, Raskin, Garagiola, Manno, Montgomery, and Ramirez**

AN ACT concerning

**Crimes – Restricted Firearm Ammunition – Prohibition on Possession and Use**

FOR the purpose of making it a misdemeanor to possess or use certain firearm ammunition during and in relation to the commission of a crime; establishing certain penalties; defining a certain term; and generally relating to prohibitions on the possession and use of restricted firearm ammunition.

BY adding to

Article – Criminal Law

Section 4–110

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 421 – Senator Frosh**

AN ACT concerning

**Circuit Court Clerks – Salary**

FOR the purpose of altering a certain limit on the maximum salary that the Board of Public Works may set for a clerk of a circuit court; providing that this Act does not apply to the salary or compensation of an incumbent clerk of a circuit court during a certain term of office; and generally relating to the salary of a clerk of a circuit court.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 2–504(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 422 – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Gladden, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Stone, and Young**

AN ACT concerning

**Public School Employees – Collective Bargaining – Representation Fees**

FOR the purpose of requiring public school employers to negotiate with certain employee organizations designated as the exclusive representatives for the

public school employees a certain service or representation fee to be charged to nonmembers; providing a certain exception and requirement for noncertificated employees whose religious beliefs are opposed to joining or financially supporting a collective bargaining organization; requiring the exclusive representative to establish and maintain a certain procedure; requiring the public school employer to deduct a certain fee from the earnings of nonmember employees in accordance with a certain schedule; excluding certain negotiated fees from certain requirements and further negotiations; and generally relating to representation fees for public school employees.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 6–407(c) and 6–504  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Education  
Section 6–407(d), (e), and (f)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Education  
Section 6–407(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 423 – Senator Edwards**

AN ACT concerning

#### **Creation of a State Debt – Adventure Sports Center International Site**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$450,000, the proceeds to be used as a grant to the Board of County Commissioners of Garrett County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

### **Senate Bill 424 – Senator Mathias**

AN ACT concerning

**Somerset County – Emergency Burning Ban – Adoption and Enforcement**

FOR the purpose of authorizing the County Commissioners of Somerset County to adopt a certain emergency burning ban; prohibiting a person from starting or allowing any open air burning during an emergency burning ban; exempting certain supervised burning activities from a certain emergency burning ban; authorizing the County Commissioners, by resolution, to set a fine for a violation of a certain emergency burning ban; authorizing the Sheriff of Somerset County and the Sheriff's deputies to assess a certain fine against any person believed to be in violation of a certain emergency burning ban; defining certain terms; and generally relating to the adoption and enforcement of an emergency burning ban in Somerset County.

BY adding to

The Public Local Laws of Somerset County  
Section 2–416  
Article 20 – Public Local Laws of Maryland  
(2003 Edition and 2009 Supplement, as amended)

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

**Senate Bill 425 – Senator Astle**

AN ACT concerning

**Commercial Law – Cigarette Sales Below Cost – Wholesale Markup**

FOR the purpose of altering the presumptive cost of doing business used to determine the basic cost of cigarettes to a cigarette wholesaler for purposes of provisions of law governing the sale of cigarettes below cost; authorizing a wholesaler to implement a wholesale markup that is less than a certain amount under certain circumstances; altering a certain definition; making certain stylistic changes; and generally relating to sales of cigarettes below cost.

BY repealing and reenacting, without amendments,

Article – Commercial Law  
Section 11–501(a) and (l)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Commercial Law  
Section 11–501(e)(1) and (m) and 11–503(a)

Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

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

**Senate Bill 426 – Senator Simonaire**

AN ACT concerning

**Anne Arundel County – Drug Free School Zones – Hotline Number on Signs**

FOR the purpose of requiring that a certain hotline number to report information concerning suspected illegal drug activity be included on certain signs designating certain areas as drug free school zones in Anne Arundel County; and generally relating to drug free school zone signs in Anne Arundel County.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 4–124  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 427 – Senators Glassman, Colburn, Dyson, Edwards, Garagiola, Getty, Jacobs, Kittleman, Klausmeier, Mathias, Middleton, and Shank**

AN ACT concerning

**Income Tax Credit – Agricultural Land – Diminution in Value of Real Property**

FOR the purpose of allowing a credit against the State income tax for the diminution in value of certain agricultural land resulting from enactment of a certain Act and adoption of certain regulations; providing for the determination of the amount of the credit; requiring an owner of agricultural land to provide certain information with the owner's tax return in order to claim the credit; providing that the credit may not exceed the State income tax for the taxable year; providing for the carry forward of excess credit; authorizing the Comptroller to adopt certain regulations; defining a certain term; providing for the application of this Act; and generally relating to a credit against the State income tax for the diminution of certain agricultural land under certain circumstances.

BY adding to  
Article – Tax – General  
Section 10–733

Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

### INTRODUCTION OF RESOLUTIONS

#### **Senate Resolution No. 138 – Senator John C. Astle:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Hale Bullen  
in recognition of  
being the 2012 Class 3A Boys Cross Country Champion. Congratulations on this  
accomplishment.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 28th day of January 2013.

#### **Senate Resolution No. 137 – Senator John C. Astle:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
John Brady  
in recognition of  
being the public school basketball coach with the most  
wins in Maryland's history. Your outstanding  
coaching ability is truly commended.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 28th day of January 2013.

The preceding two resolutions were read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 87)

### INTRODUCTION OF RESOLUTIONS

#### **Senate Resolution No. 126 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Will Bury  
Plum Point Middle School, Calvert County

in recognition of  
receiving the Outstanding State Entry at the  
2012 National History Day in the category of  
Junior Individual Exhibit.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 28th day of January 2013.

**Senate Resolution No. 127 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Ethan Greist  
Allegany High School, Allegany County  
in recognition of

receiving the Outstanding State Entry at the  
2012 National History Day in the category of  
Senior Individual Documentary.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 28th day of January 2013.

**Senate Resolution No. 128 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Alexander Herbets  
Bullis School, Montgomery County  
in recognition of

receiving the Special Prize for History in the Federal Government at the 2012  
National History Day in the category of Senior Individual Website.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 28th day of January 2013.

**Senate Resolution No. 129 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Cecilia Hsu

Burleigh Manor Middle School, Howard County  
in recognition of

being a finalist at the 2012 National History Day  
in the category of Junior Paper.



The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 28th day of January 2013.

**Senate Resolution No. 130 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Rebecca Levy  
Eastern Middle School, Montgomery County  
in recognition of  
being a finalist at the 2012 National History Day  
in the category of Junior Group Website.  
The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 28th day of January 2013.

**Senate Resolution No. 131 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Evelien Liu  
Eastern Middle School, Montgomery County  
in recognition of  
being a finalist at the 2012 National History Day  
in the category of Junior Group Website.  
The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 28th day of January 2013.

**Senate Resolution No. 132 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Ethan McComb  
Plum Point Middle School, Calvert County  
in recognition of  
receiving the Salute to Freedom Award at the  
2012 National History Day in the category of  
Junior Individual Exhibit.  
The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 28th day of January 2013.

**Senate Resolution No. 133 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Aurora Quezada  
City Neighbors High School, Baltimore City  
in recognition of  
being selected to display her Senior Individual Exhibit at the Smithsonian's National  
Museum of American History.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 28th day of January 2013.

**Senate Resolution No. 134 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Sarallah Salehi  
Centennial High School, Howard County  
in recognition of  
receiving a Scholarship to the University of Maryland  
for your Senior Individual Website at  
the 2012 National History Day.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 28th day of January 2013.

**Senate Resolution No. 135 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Michele Bingham  
La Plata High School, Charles County  
in recognition of  
being named the 2012 Patricia Behring High School  
History Day Teacher of the Year.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 28th day of January 2013.

**Senate Resolution No. 136 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland

offers its sincerest congratulations to  
 Curtis George  
 Matapeake Middle School, Queen Anne’s County  
 in recognition of  
 being named the 2012 Patricia Behring Middle School History Day Teacher of the  
 Year.

The entire membership extends best wishes on  
 this memorable occasion and directs this resolution  
 be presented on this 28th day of January 2013.

The preceding eleven resolutions were read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 88)

**THE COMMITTEE ON FINANCE REPORT #4**

Senator Middleton, Chair, for the Committee on Finance reported favorably with  
 amendments:

**Senate Bill 12 – Senator Zirkin**

AN ACT concerning

**Labor and Employment – Leave – Deployment of Family Members in the  
 Armed Forces**

**SB0012/967174/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 12

(First Reading File Bill)

On page 2, in line 1, after “INDIVIDUAL” insert “WHO:

**(I)    IS”;**

in line 2, after “PART-TIME”, insert “;

**(II)    HAS WORKED FOR THE EMPLOYER FOR THE LAST 12  
MONTHS; AND**

**(III) HAS WORKED FOR AT LEAST 1,250 HOURS DURING THE LAST 12 MONTHS**”;

and in line 4, after “PERSON” insert “**THAT:**

- 1. EMPLOYS 50 OR MORE INDIVIDUALS; AND**
- 2. IS**”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 98 – Senator Klausmeier**

AN ACT concerning

**Business Regulation – Other Tobacco Products – Wholesalers – License Fee  
Exception for Cigarette Subwholesalers**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **MESSAGE FROM THE EXECUTIVE**

January 28, 2013

The Honorable Thomas V. Mike Miller, Jr.  
President  
Maryland State Senate  
State House  
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, § 13 of the Constitution of Maryland, I am pleased to submit the following appointment nomination for confirmation by the Maryland State Senate.

**Secretary of the Department of Business and Economic Development**

**Dominick E. Murray**  
610 Highwood Drive  
Baltimore, Maryland 21212  
Baltimore City, Legislative District 43  
Appointment as Secretary  
Serves at the pleasure of the Governor

I trust you will find this individual to be well qualified and highly deserving of your support for the office in which he will serve. I look forward to your favorable approval of this nominee. Thank you for your assistance and support.

Sincerely,

Governor

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

**QUORUM CALL**

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

(See Roll Call No. 89)

**ADJOURNMENT**

At 8:44 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, January 29, 2013 in memory of Reverend Vernon Dobson, Delegate Christine Jones, and Delegate Hattie Harrison.

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**Annapolis, Maryland**  
**Tuesday, January 29, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:17 A.M.

Prayer by Father Ed Aigner, St. Francis de Sales Catholic Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

The Journal of January 28, 2013 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 92)

Welcome and Introduction of Members of the staff of the Kenyan Parliament

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #3**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 58 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**Adult Education and Literacy Services – High School Diploma by  
Examination – Eligibility Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 66 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)

AN ACT concerning

Maryland Home Improvement Commission – Membership, Quorum, and  
Meetings

SB0066/784637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 66

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and”; in line 3, after “Meetings” insert “, and Reports”; and in line 6, after “meetings;” insert “requiring the Commission to report certain information to certain committees of the General Assembly on or before a certain date each year;”.

AMENDMENT NO. 2

On page 1, in line 20, strike the brackets; and in the same line, strike “4”.

On page 2, in line 2, strike “and”; and in line 3, after “members” insert “;AND”

**(IV) 1 SHALL HAVE EXPERIENCE IN SOME PHASE OF THE BUSINESS OF HOME IMPROVEMENT OR SHALL BE A CONSUMER MEMBER**”.

AMENDMENT NO. 3

On page 2, after line 12, insert:

**“(C) ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COMMISSION SHALL REPORT TO THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ECONOMIC MATTERS COMMITTEE, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, REGARDING:**

**(1) THE ATTENDANCE RECORD OF EACH COMMISSION MEETING, DISAGGREGATED BY THE CONSTITUENCY THAT THE ATTENDEE REPRESENTS PURSUANT TO THE ATTENDEE’S APPOINTMENT UNDER § 8-202(A)(2) OF THIS SUBTITLE;**

**(2) HOW MANY CLAIMS WERE CLOSED AT EACH MEETING; AND**

**(3) HOW MANY CLAIMS REMAIN OPEN AT THE CONCLUSION OF EACH MEETING.”.**

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 78 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Maryland Home Improvement Commission – Guaranty Fund – Claims**

**SB0078/774935/1**

BY: Education, Health, and Environmental Affairs Committee

**AMENDMENT TO SENATE BILL 78**

(First Reading File Bill)

On page 2, in line 12, strike “\$10,000” and substitute “\$15,000”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.



**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #4**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 2 – Senator Colburn**

**EMERGENCY BILL**

AN ACT concerning

**Dorchester County – Turkey Hunting on Public Land – Sundays**

**SB0002/624832/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 2

(First Reading File Bill)

On page 1, in line 3, after the first “on” insert “certain”.

On page 2, in line 27, after “LAND” insert “THAT IS DESIGNATED FOR HUNTING BY THE DEPARTMENT”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 11 – Senator Astle**

AN ACT concerning

**Natural Resources – State Boat Act – Expiration of Temporary Certificate of  
Boat Number**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 21 – Senator Klausmeier**

AN ACT concerning

**Natural Resources – Aquaculture Coordinating Council – Reporting Date**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 27 – Senator Astle**

AN ACT concerning

**Chesapeake Conservation Corps Program – Extension**

**SB0027/494132/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 27

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Astle” and substitute “Senators Astle, Miller, Conway, Pinsky, Rosapepe, Benson, Young, and Ferguson”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 61 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Public Hearings – Notice Requirement****SB0061/504832/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 61

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “altering the contents of a certain notice until a certain date;”; and in line 5, after “newspaper” insert “beginning on a certain date; requiring the Department to publish a certain annual notice in a certain newspaper beginning on a certain date”.

AMENDMENT NO. 2

On page 2, in line 1, strike “At” and substitute “**UNTIL OCTOBER 1, 2014, AT**”; in line 3, strike “**OR ON THE DEPARTMENT’S WEB SITE**”; in line 4, after “notice” insert “**REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION**”; in line 5, strike the second “and”; in line 6, after “hearing” insert “**;**”

**(III) THAT, BEGINNING ON OCTOBER 1, 2014, ALL FUTURE NOTICES REQUIRED UNDER THIS TITLE WILL BE POSTED ON THE DEPARTMENT’S WEB SITE; AND**

**(IV) A PHONE NUMBER OR ELECTRONIC MAIL ADDRESS AT THE DEPARTMENT THAT A PERSON CAN CONTACT TO ARRANGE FOR THE RECEIPT OF FUTURE PUBLIC NOTICES REQUIRED UNDER THIS TITLE BY FIRST-CLASS MAIL OR ELECTRONIC MAIL.**

**(3) BEGINNING ON OCTOBER 1, 2014, AT LEAST 30 DAYS BEFORE THE PUBLIC HEARING, THE DEPARTMENT SHALL PUBLISH NOTICE OF THE HEARING IN A NEWSPAPER OF GENERAL CIRCULATION IN THE AREA CONCERNED OR ON THE DEPARTMENT’S WEB SITE.**

**(4) THE NOTICE REQUIRED UNDER PARAGRAPH (3) OF THIS SUBSECTION SHALL STATE:**

**(I) THE DATE, TIME, AND PLACE OF THE HEARING; AND**

**(II) THE PURPOSE OF THE HEARING.**

**(D) BEGINNING ON OCTOBER 1, 2014, THE DEPARTMENT SHALL PUBLISH ANNUALLY A NOTICE IN A NEWSPAPER OF GENERAL CIRCULATION TO INFORM THE PUBLIC OF:**

**(1) THE TYPES OF PUBLIC NOTICES REQUIRED UNDER THIS TITLE THAT ARE AVAILABLE ON THE DEPARTMENT’S WEB SITE; AND**

**(2) A PHONE NUMBER OR ELECTRONIC MAIL ADDRESS AT THE DEPARTMENT THAT A PERSON CAN CONTACT TO ARRANGE FOR THE RECEIPT OF FUTURE PUBLIC NOTICES REQUIRED UNDER THIS TITLE BY FIRST-CLASS MAIL OR ELECTRONIC MAIL”;**

and in line 7, strike “(d)” and substitute “**(E)**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### MESSAGE TO THE SENATE

January 29, 2013

BY THE MAJORITY LEADER:

Ladies and Gentlemen of the Senate:

The Governor of Maryland has signified his intention of addressing the General Assembly of Maryland on Wednesday, January 30, 2013 at 12 Noon in the House Chamber.

We propose with your concurrence, a joint meeting of the two Houses for this occasion and have appointed Delegates Pena–Melnik and Elliott to escort your Honorable Body to the House Chamber.

We further propose the appointment of a joint committee of six, three on the part of the Senate and three on the part of the House, to escort the Governor to the House Chamber. We have appointed Delegates Cullison, Nathan–Pulliam and Schuh.

We further propose the appointment of a joint committee of six, three on the part of the Senate and three on the part of the House to escort the Lieutenant Governor to the House Chamber. We have appointed Delegates Haddaway–Riccio, Stein and V. Turner.

BY ORDER, SYLVIA SIEGERT, CHIEF CLERK

Read and ordered journalized.

### MESSAGE TO THE HOUSE OF DELEGATES

January 29, 2013

BY THE MAJORITY LEADER:

LADIES AND GENTLEMEN OF THE HOUSE OF DELEGATES:

We have received your message that the Governor has signified his intention to address the General Assembly of Maryland on Wednesday, January 30, 2013 at 12:00 Noon, and your proposal of a joint meeting of the General Assembly in the Chamber of the House of Delegates.

We respectfully concur in your message and have appointed on behalf of the Senate, Senators Garagiola, Pipkin and Benson as members of the joint committee to escort the Governor to the Chamber of the House of Delegates.

We have also appointed as members of a joint committee, Senators McFadden, Reilly and Manno to escort the Lt. Governor to the House Chamber.

By Order,

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

Read and adopted.

### QUORUM CALL

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

(See Roll Call No. 93)

**ADJOURNMENT**

At 10:40 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:15 A.M. on Wednesday, January 30, 2013.

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**Annapolis, Maryland**  
**Wednesday, January 30, 2013**  
**11:15 A.M. Session**

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The Senate met at 11:24 A.M.

Prayer by Reverend Dan Mucci, Abundant Life Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of January 29, 2013 was read and approved.

**QUORUM CALL**

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

(See Roll Call No. 95)

**INTRODUCTION OF BILLS**

**Senate Bill 428 – Carroll County Senators**

AN ACT concerning

**Carroll County – Board of Education – Nonvoting Student Representative**

FOR the purpose of adding a nonvoting student representative to the Carroll County Board of Education; requiring the student representative to meet certain qualifications; specifying the term of the student representative; requiring that the student representative advise the County Board on certain matters; prohibiting the student representative from attending an executive session of the County Board unless invited to attend by an affirmative vote by a majority of the County Board; specifying that only voting members of the County Board are subject to certain provisions; specifying that only voting members of the County Board may receive certain compensation; and generally relating to the Carroll County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–401 and 3–403  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 429 – Carroll County Senators**

AN ACT concerning

**Carroll County – Budgeting and Finance Procedures – Surplus Funds**

FOR the purpose of repealing a certain requirement that budgeting and finance procedures established by the County Commissioners of Carroll County provide that certain surplus funds of the County be included as revenue for the budget for the next fiscal year; and generally relating to the budgeting and finance procedures established by the County Commissioners of Carroll County.

BY repealing

The Public Local Laws of Carroll County  
Section 3–601(19)  
Article 7 – Public Local Laws of Maryland  
(2004 Edition and October 2011 Supplement, as amended)

BY repealing and reenacting, with amendments,

The Public Local Laws of Carroll County  
Section 3–601(20) and (21)  
Article 7 – Public Local Laws of Maryland  
(2004 Edition and October 2011 Supplement, as amended)

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

**Senate Bill 430 – Carroll County Senators**

AN ACT concerning

**Carroll County – Gaming**

FOR the purpose of authorizing certain organizations in Carroll County to conduct a card game, card tournament, or casino night under certain circumstances; requiring an organization to obtain a permit from the Board of License Commissioners before conducting a card game, card tournament, or casino night; requiring an organization that seeks a permit to meet certain requirements; specifying that a card game, card tournament, or casino night may be managed and organized by certain organizations; requiring an individual who participates in or helps operate a card game, card tournament, or casino night to be of a certain age; specifying that a permit holder may receive a certain maximum number of permits in a calendar year; providing a certain time limit on a card game, card tournament, or casino night; specifying



that a permit is not transferable; requiring that proceeds from a card game, card tournament, or casino night be used for certain purposes and may not be used for other purposes; specifying that the operation of a card game, card tournament, or casino night may not occur during a certain time; authorizing a permit holder under this Act to charge only a pre-set entrance fee; requiring participants in a card game, card tournament, or casino night to use tokens and not cash for wagering under certain circumstances; prohibiting a permit holder from exchanging tokens under certain circumstances; requiring a permit holder to submit a financial report to the Sheriff's Office under certain circumstances; authorizing the Board of County Commissioners to adopt certain regulations; providing a certain penalty; defining certain terms; and generally relating to gaming in Carroll County.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 13–906  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Criminal Law  
Section 13–906.1  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 431 – Senator King**

AN ACT concerning

#### **Higher Education – University System of Maryland – Quasi-Endowments**

FOR the purpose of authorizing the Board of Regents of the University System of Maryland to maintain and manage quasi-endowment funds; altering a certain reporting requirement; defining a certain term; and generally relating to the University System of Maryland.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 12–101, 12–104(e), and 17–301(c)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Education  
Section 12–104(a)

Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 432 – Senators Kelley, Benson, Garagiola, Middleton, Muse, Pugh,  
Raskin, and Stone**

AN ACT concerning

**Consumer Protection – Consumer Debt Collection – Disclosure Requirements**

FOR the purpose of requiring collectors of certain debt to disclose in writing certain information in certain communications to certain debtors; defining a certain term; making a stylistic change; and generally relating to consumer debt and disclosure requirements for debt collectors.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 14–201(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Commercial Law  
Section 14–201(e)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–202  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

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

**Senate Bill 433 – Senators Ferguson, Colburn, Klausmeier, Madaleno, Shank,  
and Young**

AN ACT concerning

**Task Force to Study the Establishment of Charter Schools for Adult  
Education**

FOR the purpose of establishing the Task Force to Study the Establishment of Charter Schools for Adult Education; providing for the composition, chair, and staffing of

the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; establishing the duties of the Task Force; requiring the Task Force to report, on or before a certain date, its findings and recommendations to the Governor, the Senate Education, Health, and Environmental Affairs Committee, and the House Committee on Ways and Means; providing for the termination of this Act; and generally relating to the Task Force to Study the Establishment of Charter Schools for Adult Education.

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

### **Senate Bill 434 – Senators Ferguson, Madaleno, and Montgomery**

AN ACT concerning

#### **State Board of Education – Social Impact Bonds – Request for Proposals**

FOR the purpose of requiring the State Board of Education to issue requests for proposals for Social Impact Bonds on or before a certain date; authorizing the State Board to issue additional requests for proposals as needed; establishing minimum proposal guidelines; establishing minimum project selection guidelines; authorizing the State Board to contract with certain entities; requiring the State Board to submit reports to the Governor and the General Assembly on or before a certain date each year; defining a certain term; and generally relating to the State Board of Education issuing requests for proposals for Social Impact Bonds.

BY adding to

Article – Education

Section 2–205(r)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 435 – Senator Ferguson**

AN ACT concerning

#### **Creation of a State Debt – Baltimore City – Ralph J. Young Early Childhood Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Trustees of Living Classrooms Foundation, Inc. for certain development or improvement purposes; providing

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

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

**Senate Bill 436 – Senators Peters, DeGrange, Brinkley, Colburn, Currie, Edwards, and Robey**

AN ACT concerning

**Recordation Taxes – Exemptions**

FOR the purpose of exempting certain indemnity mortgage transactions from the recordation tax; altering the transaction amount that is subject to the recordation tax for supplemental instruments of writing; making certain refinancing instruments exempt from the recordation tax; altering a certain definition; and generally relating to exemptions from the recordation tax.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 12–101(l), 12–105(f)(7), and 12–108(e) and (g)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 437 – Senator Peters**

AN ACT concerning

**Health – Youth Camps – Definitions**

FOR the purpose of altering the definition of “day camp” to include certain youth camps that have campers who reside at the camp for a certain number of days; altering the definition of “residential camp” for purposes of certain provisions of law governing youth camps to increase the number of days a youth camp may operate as a residential camp; altering the definitions of “travel camp” and “trip camp” to increase the number of days a residential camp may operate as a travel camp or a trip camp; and generally relating to youth camps.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 14–401  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 438 – Senator Pinsky**

AN ACT concerning

**State Procurement – Contracting for Services Outside the United States**

FOR the purpose of expanding the scope of services that a public employer is prohibited from knowingly contracting for unless the services are to be provided in the United States; and generally relating to State procurement and a prohibition on contracting for certain services to be provided outside the United States.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 12–111  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 439 – Senator Pinsky**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Berwyn Heights Town Administration Building and Senior Center Power Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$80,000, the proceeds to be used as a grant to the Mayor and Town Council of Berwyn Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 440 – Senator Edwards**

AN ACT concerning

**Creation of a State Debt – Allegany County – Friends Aware Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Friends Aware, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 441 – Senators Gladden, Currie, Forehand, Frosh, Ramirez, Stone, and Zirkin**

AN ACT concerning

**Correctional Training Commission – Correctional Officer Members**

FOR the purpose of requiring that certain members of the Correctional Training Commission be correctional officers only rather than correctional officers or officials of the State; requiring that certain members of the Commission be recommended by the exclusive representative for the correctional officers before appointment by the Governor; and generally relating to membership of the Correctional Training Commission.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 8–204  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 442 – Senator Gladden**

AN ACT concerning

**Residential Child Care Programs – Memorandum of Understanding**

FOR the purpose of requiring a contract awarded or renewed between a certain agency and a provider of a residential child care program to require the provider to enter into a memorandum of understanding with a certain community organization and post the memorandum of understanding in a certain location; specifying the contents of a memorandum of understanding; requiring a memorandum of understanding to be in writing and signed by certain representatives; specifying that a memorandum of understanding shall be in effect for a certain period of time; defining a certain term; providing for the

application of this Act; and generally relating to memoranda of understanding and residential child care programs.

BY repealing and reenacting, without amendments,  
Article – Human Services  
Section 8–701 (b) and (e)  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

BY adding to  
Article – Human Services  
Section 8–708  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

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

### **Senate Bill 443 – Senator Dyson**

AN ACT concerning

#### **Land Use – Local Governments – Comprehensive Planning and Zoning Cycles**

FOR the purpose of altering the time period of a local government’s comprehensive planning and zoning cycle to better coincide with the release of United States decennial census data; requiring certain planning commissions to include in a certain annual report information on the implementation status of a certain comprehensive plan; altering certain time frames for certain planning commissions to review certain comprehensive plans and to implement certain elements of certain comprehensive plans; requiring the Maryland Association of Counties, the Maryland Municipal League, and the Maryland Department of Planning to form a certain stakeholders group to create certain transition schedules for each local government that drafts a comprehensive plan; requiring certain transition schedules, to the extent practicable, to coincide with the release of certain data from the United States decennial census; requiring a certain stakeholder group to submit a proposed transition schedule to certain committees of the General Assembly on or before a certain date; and generally relating to local government comprehensive planning and zoning cycles.

BY repealing and reenacting, with amendments,  
Article – Land Use  
Section 1–207, 1–416, 1–417, 1–509, 3–301, and 3–303  
Annotated Code of Maryland  
(2012 Volume)

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

**Senate Bill 444 – Senator Stone**

AN ACT concerning

**Criminal Law – Accessory After the Fact – Murder**

FOR the purpose of altering the maximum penalties for being an accessory after the fact to murder in the first and second degree; providing for the application of this Act; and generally relating to the crime of accessory after the fact.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 1–301  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 445 – Senators Ferguson, Conway, Forehand, Frosh, Madaleno, Montgomery, Pugh, and Raskin****EMERGENCY BILL**

AN ACT concerning

**Public Safety – Handgun Permits – Requirements and Limitations**

FOR the purpose of specifying that a person who has been issued a permit to wear, carry, or transport a handgun may only wear, carry, or transport the handgun within the scope of the permit issued; altering a certain list of criteria that the Secretary of State Police must use to determine whether a certain handgun permit shall be issued to a person to include findings by the Secretary that the person is not prohibited from possessing a certain regulated firearm under a certain provision of law, has completed a certain firearms safety training course within a certain time period unless a certain ground for exemption applies, has not been discharged from the armed forces of the United States under dishonorable conditions, does not have a pending charge for a felony or a misdemeanor for which a sentence of imprisonment for more than a certain amount of time may be imposed, has not been committed involuntarily to a certain facility within a certain time period, or has not exhibited certain conduct indicating the person is potentially dangerous to the public if issued a permit; requiring a person renewing a certain handgun permit to complete a certain firearms safety training course within a certain time period, unless a certain ground for exemption applies; prohibiting a certain handgun permit holder from possessing a handgun on certain real property; making the provisions of this Act severable; making this Act an emergency measure; and generally relating to



the issuing by the Secretary of State Police of a permit to wear, carry, or transport a handgun.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 4–203(a)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–203(b)(2)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–133  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–306 and 5–309  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Public Safety  
Section 5–315  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 446 – Senators Pugh, Benson, Conway, Forehand, Madaleno,  
McFadden, Montgomery, and Peters**

AN ACT concerning

**Homeowner’s or Renter’s Insurance and Private Passenger Motor Vehicle  
Insurance – Bundling Requirement – Prohibited**

FOR the purpose of prohibiting an insurer, with respect to homeowner’s insurance or renter’s insurance, from denying, refusing to renew, or canceling coverage solely because the applicant or policyholder does not carry private passenger motor vehicle insurance with the insurer; prohibiting an insurer, with respect to

private passenger motor vehicle insurance, from denying, refusing to renew, or canceling coverage solely because the applicant or policyholder does not carry homeowner's insurance or renter's insurance with the insurer; providing that this Act does not prohibit certain actions by an applicant, a policyholder, or an insurer with respect to certain insurance policies; providing for the application of this Act; and generally relating to bundling policies of homeowner's insurance or renter's insurance and private passenger motor vehicle insurance.

BY adding to

Article – Insurance

Section 27–501(r)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 447 – Senators Pugh, Astle, and Garagiola**

AN ACT concerning

**Business Regulation – Introduction of Additives into Gasoline –  
Authorization**

FOR the purpose of authorizing the Comptroller to authorize any person who holds a certain dealer license to introduce an additive into gasoline for resale under certain circumstances; and generally relating to authorization to introduce additives into gasoline.

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 10–308

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 448 – Senators Madaleno, Frosh, Garagiola, and Manno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – The Writer's Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of The Writer's Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

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

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

**Senate Bill 449 – Senators Madaleno, Raskin, Benson, Conway, Currie, Ferguson, Forehand, Garagiola, Gladden, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Manno, McFadden, Montgomery, Pinsky, Pugh, Ramirez, Robey, Rosapepe, and Young**

AN ACT concerning

**Fairness for All Marylanders Act of 2013**

FOR the purpose of prohibiting discrimination based on gender identity with regard to public accommodations, housing, and employment; prohibiting discrimination based on gender identity by certain licensed or regulated persons; prohibiting discrimination based on sexual orientation or gender identity with regard to the leasing of property for commercial usage or in the provision of certain services or facilities; altering a certain exception for employers that relates to standards concerning dress and grooming; providing that an employer is immune from certain liability for certain acts to verify the gender identity of any employee or applicant in response to a certain charge; making certain remedies and procedures regarding discrimination applicable to discrimination based on sexual orientation and gender identity; requiring certain State personnel actions to be made without regard to gender identity or sexual orientation; defining the term “gender identity”; making certain conforming changes; and generally relating to discrimination based on sexual orientation and gender identity.

BY renumbering

Article – State Government  
Section 20–101(e) and (f), respectively  
to be Section 20–101(f) and (g), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Government  
Section 20–101(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–302, 20–304, 20–401, 20–402, 20–501, 20–602, 20–603, 20–605(a)(2),  
20–606(a) through (e), 20–608, 20–702(a), 20–704(a)(2), 20–705,  
20–707(b) and (c), and 20–1103(b)

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 2–302  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 450 – Chair, Anne Arundel County Senators**

AN ACT concerning

#### **Education Trust Fund – Security Personnel and Equipment and Mental Health Services**

FOR the purpose of expanding the purposes for which the money in the Education Trust Fund is required to be used to include funds for security personnel and equipment at public elementary and secondary schools in the State and mental health services for certain students and their parents or guardians; and generally relating to the use of money in the Education Trust Fund.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–30  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 451 – Senator Astle**

AN ACT concerning

#### **Vessel Excise Tax – Exemption for Commercial Enterprises Paying the Admissions and Amusement Tax**

FOR the purpose of providing an exemption from the vessel excise tax for the purchase of a vessel by certain commercial enterprises if the use of the vessel will require the payment of at least a certain amount of admissions and amusement tax; requiring the Department of Natural Resources to adopt certain regulations; requiring the Department to report to the Governor and General Assembly on or

before a certain date each year; providing for the application of this Act; and generally relating to the vessel excise tax.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–716(e)(12) and (13)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Natural Resources  
Section 8–716(e)(14) and (j)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 452 – Senators Manno, Frosh, King, Madaleno, Montgomery, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Jewish Foundation for Group Homes Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Jewish Foundation for Group Homes, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 453 – Senators Manno and Peters**

AN ACT concerning

**Election Law and Ethics – Political Parties – Uniform Transparency, Disclosure, and Accountability Act**

FOR the purpose of requiring the constitution and bylaws of a political party to provide that a central committee shall provide public access to records related to filling a vacancy in public office similar to the requirements of the Public Information Act, shall perform activities related to filling a vacancy in public office in an open and public manner similar to the requirements of the Open

Meetings Act, and shall prohibit a member of the central committee from demanding or receiving a bribe related to filling a vacancy in public office; providing that a member of or candidate for election to the State or local central committee is subject to certain financial disclosure requirements; prohibiting a certain State official from being a member of the State or local central committee of a political party; and generally relating to political parties, vacancies in public office, and State and local central committees.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 4–204  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–103(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Government  
Section 15–509  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–601 and 15–804  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 454 – Senator Gladden**

AN ACT concerning

#### **Juveniles – Confinement in Juvenile Facilities**

FOR the purpose of requiring a certain child for whom the juvenile court has waived jurisdiction under certain circumstances to remain detained in a juvenile facility except under certain circumstances; requiring a certain child to be transferred to a certain juvenile facility except under certain circumstances; prohibiting a child from being transported together with certain adults except under certain circumstances; requiring a court exercising criminal jurisdiction

in a case involving a child, or the District Court at a bail review or preliminary hearing, to order a certain child to be held in a secure juvenile facility pending a certain determination except under certain circumstances; authorizing a certain defendant to receive certain credit against and a reduction of the term of a certain sentence for all time spent in the custody of a juvenile facility under certain circumstances; making stylistic changes; providing for the application of this Act; and generally relating to juveniles and confinement in juvenile facilities.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–06 and 3–8A–16  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–22  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 4–202 and 6–218  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 455 – Senators Reilly, Glassman, and Jacobs**

AN ACT concerning

#### **Public Health – Abortion Survey System**

FOR the purpose of requiring the Department of Health and Mental Hygiene to establish a certain mandatory abortion survey system; requiring certain hospitals and facilities to report abortions to the Department using a certain form, in a certain manner, and on or before a certain date each year; providing that a report received by the Department under certain provisions of this Act is confidential, is not a public record, and may not include certain information; requiring the report to be destroyed after certain data is used to prepare a certain report; requiring the Department to develop an abortion survey form to collect certain data; specifying the data to be collected; requiring the attending physician to provide certain information to the individual completing the form; providing that the form may be in an electronic format; authorizing the Department to require electronic submission of the form under certain

circumstances; requiring the Department to submit a certain annual report to the Governor and General Assembly; providing for certain penalties; requiring the Department to adopt certain regulations; providing for the application of certain provisions of this Act; authorizing the State Board of Physicians to provide for certain disciplinary action for a licensee who violates certain provisions of this Act; and generally relating to an abortion survey system and reporting requirements.

BY adding to

Article – Health – General

Section 20–217 to be under the new part “Part V. Reporting Requirements”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–404(a)(40) and (41)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health Occupations

Section 14–404(a)(42)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 456 – Senators Reilly and Jacobs**

AN ACT concerning

#### **Pain–Capable Unborn Child Protection Act**

FOR the purpose of prohibiting, except under certain circumstances, the performance or inducement or attempted performance or inducement of an abortion of a pregnant woman unless a certain determination as to the probable age of the unborn child is made by a certain physician; providing that the failure of a physician to perform certain actions is deemed unprofessional conduct; prohibiting the performance or inducement or attempted performance or inducement of an abortion of a pregnant woman if the probable age of an unborn child is a certain number of weeks, except under certain circumstances; requiring an abortion to be performed in a certain manner under certain circumstances; requiring certain physicians to submit a certain report to the Department of Health and Mental Hygiene that includes certain information; requiring the Department to issue a certain public report by a certain date each year that includes certain information; requiring the Department to adopt



certain regulations on or before a certain date; establishing certain civil and criminal penalties; authorizing certain persons to bring a civil action under certain circumstances; authorizing certain persons to apply to a certain court for permanent or temporary injunctive relief against a certain person under certain circumstances; providing for the award of certain attorney's fees under certain circumstances; requiring a court to make a certain determination in a certain proceeding; requiring a court to issue certain orders under certain circumstances; requiring certain persons to use a pseudonym to bring a certain action in court under certain circumstances; providing for the construction of various provisions of this Act; stating certain findings of the General Assembly; defining certain terms; and generally relating to the Pain–Capable Unborn Child Protection Act.

BY adding to

Article – Health – General

Section 20–217 through 20–225 to be under the new part “Part V. Pain–Capable Unborn Child Protection Act”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 457 – Calvert County Senators**

AN ACT concerning

#### **Calvert County – Local Forest Conservation Fund – Administrative Costs**

FOR the purpose of authorizing Calvert County to use money in its local forest conservation fund to pay certain administrative costs; and generally relating to the use of local forest conservation funds in Calvert County.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–1610(i)

Annotated Code of Maryland

(2012 Replacement Volume)

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

### **Senate Bill 458 – Calvert County Senators**

AN ACT concerning

#### **Calvert County – Public Facilities Bonds**

FOR the purpose of authorizing and empowering the County Commissioners of Calvert County, from time to time, to borrow not more than \$33,810,000 to finance the construction, improvement, or development of certain public facilities in Calvert County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and generally relating to the issuance and sale of such bonds.

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

**Senate Bill 459 – Senators Conway and Middleton**

AN ACT concerning

**Health Occupations – Dental Hygienists – Provision of Services Without Supervision**

FOR the purpose of authorizing a licensed dental hygienist, without the supervision of a dentist, to provide certain services in any setting; and generally relating to the practice of licensed dental hygienists.

BY adding to

Article – Health Occupations

Section 4–308.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 460 – Senators Conway and Middleton**

AN ACT concerning

**Health Occupations – Physician Assistants – Authority to Practice**

FOR the purpose of authorizing a physician assistant to complete a certain certificate that an individual of a certain age is pregnant or has given birth to a child; authorizing a physician assistant to provide certain information on a certificate of birth under certain circumstances; authorizing a physician assistant to fill out and sign a certificate of death under certain circumstances; requiring certain individuals to notify the medical examiner under certain circumstances if a deceased was not under treatment by a physician assistant during a terminal illness; authorizing a physician assistant to file a replacement death certificate under certain circumstances; authorizing a physician assistant to complete a “do not resuscitate order”; authorizing a physician assistant to serve as a witness to an advance directive; requiring that certain documentation of an oral advance directive be dated and signed by a physician assistant under certain circumstances; authorizing a physician assistant to provide an oral emergency medical services “do not resuscitate order”; requiring a certain form to be suitable for containing a physician assistant’s medical orders relating to a patient’s medical condition; requiring a health care facility on request of a patient to offer a physician assistant the opportunity to participate in updating or completing a “Medical Orders for Life–Sustaining Treatment” form; requiring a health care facility to comply with certain medical orders regardless of whether the physician assistant who signed the form has admitting privileges or is otherwise credentialed at the health care facility; providing that certain provisions of law may not be construed to require a physician assistant to prescribe or render medical treatment that is ethically inappropriate or medically ineffective; authorizing a physician assistant to make a certain petition for an emergency evaluation of an individual; requiring a physician assistant to give a certain petition to a peace officer; requiring a peace officer to take an emergency evaluatee to a certain emergency facility if the peace officer has a certain petition that is signed and submitted by a physician assistant; authorizing a physician assistant to certify certain medical conditions of an applicant for a special disability registration number and plates for a certain vehicle; requiring a certain health occupation board to be responsible for the development and maintenance of certain database systems; authorizing a physician assistant to certify the existence of certain permanent disabilities for applicants for a certain parking placard; authorizing a physician assistant to certify the existence of a temporary disability of an applicant for a temporary parking placard; altering a certain definition; defining certain terms; making certain stylistic and conforming changes; and generally relating to the authority to practice as a physician assistant.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 2–301  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Health – General

Section 4–201(a), 4–208(a)(1), 4–212(a), 5–601(a), 10–620(a), and 10–622(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health – General

Section 4–201(m) and 5–601(s)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 4–201(m), (n), and (o), 4–208(a)(2), 4–212(b), (c), (e), and (h), 5–601(i), (s), and (t), 5–602(c) and (d), 5–608(c), 5–608.1(b), (c), and (f), 5–611(a) and (b), 10–620(e), 10–622(b) and (d), 10–623, 10–624(a), and 10–628

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–616(a), (b)(1) and (2), and (m), 13–616.1(a) and (k), and 13–616.2(a), (b), (c), and (i)

Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 461 – Senators Conway, Benson, Brinkley, Brochin, Colburn, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Gladden, Glassman, Jacobs, Jones–Rodwell, Kasemeyer, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, Young, and Zirkin**

AN ACT concerning

**Primary and Secondary Education – Online Courses and Services –  
Accessibility**

FOR the purpose of requiring the development, review, and approval of certain online courses and services to include an assessment regarding the accessibility of the online course or service to certain individuals with disabilities; authorizing the State Department of Education or a county board of education to contract with a third party for the development of a certain assessment or a certain method by

which certain online courses or services will be made available to certain individuals; authorizing the State Board of Education to set certain fees for the development of a certain assessment and a certain method; and generally relating to the accessibility of online courses and services to individuals with disabilities, including the blind.

BY adding to

Article – Education  
Section 7–1002(b)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Education  
Section 7–1002(c)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education  
Section 7–1002(c)(2)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 462 – Senator Simonaire**

AN ACT concerning

#### **Environment – Wetlands and Waterways Authorizations – Installation of Personal Watercraft Lifts**

FOR the purpose of authorizing a person to install a certain number of personal watercraft lifts in addition to a certain number of boat lifts or hoists under a minor wetlands and waterways project authorization from the Department of the Environment; establishing a certain application fee for an authorization to install a personal watercraft lift; and generally relating to wetlands and waterways authorizations.

BY repealing and reenacting, without amendments,

Article – Environment  
Section 5–203.1(a)(8)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 5–203.1(b)(4) and (5)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 463 – Senator Conway**

AN ACT concerning

**State Board of Morticians and Funeral Directors – Apprentice Sponsors,  
Funeral Establishment Licenses, and Supervising Morticians**

FOR the purpose of requiring that a licensed mortician or licensed funeral director have certain approval by the State Board of Morticians and Funeral Directors before an apprenticeship begins; clarifying the requirements for certain apprentice sponsors and a certain process for seeking approval by the Board; requiring certain evidence and death certificates to be submitted to the Board as proof of the completion of certain apprentice requirements; altering certain practical experience requirements for an apprentice; altering the qualifications that must be met for issuance of a funeral establishment license; requiring certain licensed funeral establishments to have a supervising mortician; providing for the qualifications, approval process, responsibilities, and scope of supervising authority for certain supervising morticians; altering a certain definition; and generally relating to the State Board of Morticians and Funeral Directors, apprentice sponsors, funeral establishments, and supervising morticians.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 7–101(a), (b), (d), (j), (k), and (m) through (u)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 7–101(c), 7–306, and 7–310  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 464 – Senator Klausmeier**

## EMERGENCY BILL

AN ACT concerning

**Natural Resources – Aquaculture – Shellfish Nursery Permits**

FOR the purpose of prohibiting a person from engaging in the commercial rearing of shellfish seed outside certain leased areas without first obtaining a shellfish nursery permit from the Department of Natural Resources; placing certain limitations on the issuance and scope of a permit for land-based and in-water shellfish nursery operations; providing that certain water quality classifications and restrictions established by the Department of the Environment may not affect certain in-water shellfish nursery operations; clarifying that a person is not required to obtain a water column lease or a submerged land lease for in-water shellfish nursery operations; establishing a certain application process and a certain application fee for permit applications; authorizing the Department of Natural Resources to deny a permit application for reasonable cause or to include conditions in a permit; establishing a certain term for a permit; authorizing the Department of Natural Resources to suspend or revoke a permit for certain reasons; requiring a permit holder to allow certain inspections by the Department of Natural Resources; authorizing the Department of Natural Resources to adopt regulations implementing this Act; defining a certain term; making this Act an emergency measure; and generally relating to shellfish nursery permits.

BY adding to

Article – Natural Resources  
Section 4-11A-23  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 465 – Senator Klausmeier**

AN ACT concerning

**Refinancing of First Mortgage Loans – Subordination**

FOR the purpose of providing that a secondary mortgage loan shall retain the same subordinate position with respect to a mortgage or deed of trust securing a refinanced loan without requiring the agreement of the lender of the secondary mortgage loan to the refinancing under certain circumstances; providing that a secondary lien shall retain the same subordinate position with respect to a mortgage or deed of trust securing a refinanced loan without requiring the

agreement of the credit grantor of the loan secured by the secondary lien to the refinancing under certain circumstances; providing for the application of this Act; defining certain terms; and generally relating to subordination in the refinancing of first mortgage loans.

BY repealing and reenacting, without amendments,

Article – Commercial Law

Section 12–401(a), (b), (c), (e), (h), and (i) and 12–1001(g), (j), and (m)

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

BY adding to

Article – Commercial Law

Section 12–408.1 and 12–1010.1

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

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

**Senate Bill 466 – Senators Klausmeier, Kittleman, Brinkley, Colburn, Dyson, Edwards, Garagiola, Glassman, Kasemeyer, Manno, Mathias, Montgomery, Ramirez, and Young**

AN ACT concerning

### **Income Tax – Expensing of Business Property and Bonus Depreciation**

FOR the purpose of limiting the applicability of certain Maryland income tax modifications for certain deductions for the cost of business property placed in service that is treated as an expense for federal income tax purposes; limiting the applicability of certain Maryland income tax modifications for a certain additional depreciation allowance under the federal income tax for business property placed in service; providing for the application of this Act; and generally relating to certain Maryland income tax modifications with respect to the federal income tax treatment of business property.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–210.1(b)(1) and (3)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–310

Annotated Code of Maryland



(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 467 – Senators Frosh, Raskin, Brochin, Madaleno, Pinsky, and Rosapepe**

AN ACT concerning

**Electric Companies – Rate Adjustment to Recover Profits Lost During Service Disruption – Prohibition**

FOR the purpose of prohibiting the Public Service Commission from authorizing an electric company to adjust the electric company's rates to recover profits lost during a disruption in electrical service; and generally relating to the adjustment of rates by an electric company to recover profits lost during a disruption in electrical service.

BY adding to

Article – Public Utilities

Section 4–307

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 468 – Senators Forehand, Gladden, Manno, Muse, and Ramirez**

AN ACT concerning

**Vehicle Laws – Misdemeanor Violations – Unsupervised Probation**

FOR the purpose of requiring a person placed on probation for a misdemeanor violation of the Maryland Vehicle Law to have unsupervised probation unless the violation was a certain offense relating to drunk or drugged driving or the person was placed on probation previously for a violation of the Maryland Vehicle Law; and generally relating to unsupervised probation for misdemeanor violations of the Maryland Vehicle Law.

BY adding to

Article – Transportation

Section 27–115

Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 469 – Senators Pinsky, Benson, Conway, Ferguson, Forehand, Frosh, Gladden, Jones–Rodwell, Kelley, Madaleno, Manno, Montgomery, Muse, Ramirez, Raskin, Rosapepe, and Stone**

AN ACT concerning

**Business Relief and Tax Fairness Act of 2013**

FOR the purpose of altering a certain fee collected by the State Department of Assessments and Taxation for the filing of certain documents by certain corporations and business entities; requiring certain corporations to compute Maryland taxable income using a certain method; requiring, subject to regulations adopted by the Comptroller, certain groups of corporations to file a combined income tax return reflecting the aggregate income tax liability of all the members of the group; requiring the Comptroller to adopt certain regulations; requiring certain regulations to be consistent with certain regulations adopted by the Multistate Tax Commission; defining certain terms; providing for the application of this Act; and generally relating to fees collected by the State Department of Assessments and Taxation and the Maryland corporate income tax.

BY repealing and reenacting, without amendments,  
Article – Corporations and Associations  
Section 1–203(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 1–203(b)(3)(ii)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Tax – General  
Section 10–402.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–811  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 470 – Senator Mathias**

AN ACT concerning

**Employees' Pension System – Somerset County Economic Development  
Commission – Eligible Governmental Unit**

FOR the purpose of adding the Somerset County Economic Development Commission as an eligible governmental unit in the Employees' Pension System; providing that certain individuals are not subject to the reformed contributory pension benefit in the Employees' Pension System; providing that certain individuals are subject to the alternate contributory pension benefit in the Employees' Pension System; providing that certain individuals may become subject to the reformed contributory pension benefit in the same manner that an individual who was a member of the Employees' Pension System on a certain date and remains a member on a certain date may be subject to the reformed contributory benefit; providing certain employees of the Somerset County Economic Development Commission a certain amount of additional service credit in the Employees' Pension System; prohibiting certain employees of the Somerset County Economic Development Commission from receiving a certain amount of additional service credit in the Employees' Pension System; and generally relating to employees of the Somerset County Economic Development Commission participating in the Employees' Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 23–225, 31–102, 31–111, and 31–116.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 31–111.7  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 471 – Senator Mathias**

AN ACT concerning

**Somerset County – Alcoholic Beverages – Location Restrictions**

FOR the purpose of creating an exception to the prohibition in Somerset County against approving a license to sell alcoholic beverages at an establishment located within a certain distance of a school, church or other place of worship,

public library, or youth center; and generally relating to alcoholic beverages in Somerset County.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 9–220  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 472 – Senator Mathias**

AN ACT concerning

**Vehicle Laws – Motor Scooters and Mopeds – Special Dealer Decals**

FOR the purpose of authorizing a motor scooter or moped dealer to apply to the Motor Vehicle Administration for the issuance of special dealer decals; authorizing a motor scooter or moped dealer that attaches a special dealer decal to certain motor scooters or mopeds to, as authorized by law, drive the motor scooters or mopeds on a highway or allow, for demonstration purposes, a prospective buyer to drive the motor scooters or mopeds on a highway; prohibiting a motor scooter or moped dealer from allowing a person who does not hold and display a valid driver's license or moped operator's permit to drive a motor scooter or moped on a highway; requiring a special dealer decal to be manufactured in a certain manner; requiring a special dealer decal to display a unique number sequence assigned by the Administration; requiring the Administration to set the fee for a special dealer decal; and generally relating to special dealer decals for motor scooter or moped dealers.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–106  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 473 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Baltimore City – Children – Records Access**

FOR the purpose of authorizing access to certain court records and police records by the Baltimore City Health Department and the Baltimore City Mayor's Office on Criminal Justice under certain circumstances; requiring that certain records concerning child abuse and neglect be disclosed to the Baltimore City Health Department under certain circumstances; requiring the Department of Juvenile Services to disclose to the Baltimore City Health Department certain records concerning certain children under certain circumstances; requiring the Department of State Police to provide to the Baltimore City Health Department and the Baltimore City Mayor's Office on Criminal Justice certain information concerning certain children under certain circumstances; requiring the Baltimore City Health Department and the Baltimore City Mayor's Office on Criminal Justice to keep certain information confidential; authorizing the Baltimore City Health Department and the Baltimore City Mayor's Office on Criminal Justice to use certain information solely for certain purposes; providing for the termination of this Act; and generally relating to records concerning children and access by the Baltimore City Health Department and the Baltimore City Mayor's Office on Criminal Justice.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–827(a) and 3–8A–27  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 1–202(b) and (c)(1)(v)  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

BY adding to  
Article – Human Services  
Section 9–219(f)  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

BY adding to  
Article – Public Safety  
Section 2–308(d)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 474 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Funding Method and Amortization of Unfunded Liabilities or Surpluses**

FOR the purpose of altering the amortization periods to be used for certain unfunded liabilities or surpluses of the State Retirement and Pension System; clarifying the application of a certain amortization period to certain changes; phasing out a certain method for determining certain employer contribution rates for the employees' and teachers' retirement and pension systems; and generally relating to the funding of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–304(d), (e), and (f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 475 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Administrative and Operational Expenses – Payments and Deductions**

FOR the purpose of repealing the requirement to reduce certain amounts the Governor is required to include in the budget bill for payment to the State Retirement and Pension System by the amount of administrative and operational expenses for the Board of Trustees for the State Retirement and Pension System and the State Retirement Agency paid by certain local employers; repealing the authorization for certain local employers to deduct certain amounts from certain required employer contributions; and generally relating to certain payments and deductions for the administrative and operational expenses of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–308(a) and 21–316  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 476 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Unused Sick Leave Calculation – Clarification**

FOR the purpose of clarifying the calculation used by the Board of Trustees for the State Retirement and Pension System to determine the amount of creditable service a member of the State Retirement and Pension System is eligible to receive for unused sick leave at retirement; and generally relating to the clarification of the unused sick leave calculation used to determine additional creditable service at retirement for members of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 20–206  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 477 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Employment of Retirees – Required Break in Service**

FOR the purpose of prohibiting certain retired members of the State Retirement and Pension System from being employed by certain employers within a certain period of time; deleting certain obsolete provisions; making certain clarifying changes; providing for the effective date of certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the requirement of a break in service prior to the employment of certain retirees of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 22–406(b), (d), (n), (o), and (p), 23–407(b), (d), (n), (o), and (p), 24–405.1, 25–403(h), 26–403(f), 27–406(b), and 28–402(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 25–403(a), 26–403(a), 27–406(a), and 28–402(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing  
Article – State Personnel and Pensions  
Section 22–406(m) and 23–407(m)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 29–117(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 27–406(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)  
(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

BY adding to  
Article – State Personnel and Pensions  
Section 27–406(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)  
(As enacted by Chapter 688 of the Acts of the General Assembly of 2010)

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

### **Senate Bill 478 – Senators Shank and Getty**

AN ACT concerning

#### **Criminal Law – Contraband – Telecommunication Devices – Penalty**

FOR the purpose of prohibiting a person from attempting to deliver a telecommunication device to a person detained or confined in a certain place of confinement; increasing the penalty for certain subsequent violations; requiring a certain sentence to be served consecutive to another sentence; and generally relating to the prohibition against telecommunication devices in a place of confinement.



BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 9–417  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

## LETTERS OF REASSIGNMENT

### ANNOUNCEMENT BY THE PRESIDENT

**Senate Bill 427 – Senators Glassman, Colburn, Dyson, Edwards, Garagiola,  
Getty, Jacobs, Kittleman, Klausmeier, Mathias, Middleton, and Shank**

AN ACT concerning

#### **Income Tax Credit – Agricultural Land – Diminution in Value of Real Property**

Reassigned to the Committee on Budget and Taxation under Rule 33(d).

Read and ordered journalized.

## SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Rule 116. Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

- (1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and
- (2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

Senate Rule 116 was read only.

Senator Kittleman moved, duly seconded, to make the **Senate Rule 116** a Special Order for February 6, 2013.

### QUORUM CALL

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

(See Roll Call No. 96)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #6

##### Senate Bill 12 – Senator Zirkin

AN ACT concerning

##### **Labor and Employment – Leave – Deployment of Family Members in the Armed Forces**

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

Affirmative – 47    Negative – 0    (See Roll Call No. 97)

The Bill was then sent to the House of Delegates.

##### Senate Bill 98 – Senator Klausmeier

AN ACT concerning

##### **Business Regulation – Other Tobacco Products – Wholesalers – License Fee Exception for Cigarette Subwholesalers**

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

Affirmative – 47    Negative – 0    (See Roll Call No. 98)

The Bill was then sent to the House of Delegates.

### QUORUM CALL

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

(See Roll Call No. 99)

**RECESS**

At 11:41 A.M. on motion of Senator Garagiola, seconded, the Senate recessed until 12:00 P.M. on Wednesday, January 30, 2013, to the House Chamber for the State of the State Address.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Wednesday, January 30, 2013**

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At 11:57 A.M. the Senate resumed its session.

**JOINT SESSION**

Delegates Pena–Melnyk and Elliott escorted the Senate into the House Chamber.

President Miller called for the Senate roll.

**QUORUM CALL**

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

(See Roll Call No. 99A)

Speaker Busch called for the House roll.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 131 Members present.

(See House Roll Call No. 41)

A majority of the House and the Senate being present, Speaker Busch declared both bodies in Joint Session.

Senators McFadden, Reilly, and Manno and Delegates Haddaway–Riccio, Stein, and V. Turner escorted the Lieutenant Governor Anthony G. Brown to the Rostrum.

Senators Garagiola, Pipkin, and Benson and Delegates Cullison, Nathan–Pulliam, and Schuh escorted the Chief Executive to the Speaker’s Rostrum.

Speaker Busch presented the Chief Executive of Maryland, Governor Martin O’Malley.

The Chief Executive addressed the General Assembly.

**STATE OF THE STATE ADDRESS**  
GOVERNOR MARTIN O'MALLEY

The State House  
Annapolis, Maryland  
January 30, 2013

**Acknowledgments**

Mr. Speaker, Mr. President, Distinguished Minority Leaders, Lieutenant Governor Brown, Treasurer Kopp, Governor Hughes, Governor Glendening, Attorney General Gansler, Attorney General Curran; colleagues in city and county government; Congressman Cummings, Congresswoman Edwards; Mayor Vincent Gray, from our neighbors in New Columbia; Ambassador Darmanovic, Ambassador Schnepf, Ambassador Negodic, Ambassador Al-Rumaihi, Ambassador Collins; Members of the most effective cabinet in the United States of America; Katie O'Malley, men and women of the Maryland General Assembly.

There is more that unites us than divides us, and one of those things is the mighty, mighty Baltimore Ravens!!!

All of us are familiar with the Ravens story, but there are also a number of remarkable people with us here today in the Gallery and I wanted to share a few of their stories with all of you.

First, one of our nation's leading minds and most prominent advocates for science, technology, engineering, and math education. Some of you may know him as a member of our State School Board. Later this week, President Obama will be awarding him the National Medal of Science for his achievement in physics – Dr. James Gates.

Two years ago, this next Marylander and her children were homeless. Today, she's turned a temporary work placement into a good, full-time job. Please welcome Janice Spanish from Caroline County and the dedicated state employee from our Department of Human Resources who helped her secure this opportunity, Melissa Jones-Harris.

Within the heart of every individual is a spirit and dignity that yearns to be recognized. Twelve months ago, just outside these doors, we officially recognized for the first time in 380 years the Piscataway people, in a ceremony none of us will soon forget. Please welcome Tribal Chair Mervin Savoy of the Piscataway Conoy Tribe. Miss Mervin, thank you for being here.

We are also joined by finally a great Mayor, who, because of budget constraints also found himself doing the job of City Manager. When his own home was flooded during Hurricane Sandy, he set aside his personal needs and instead worked day and night to help the families of his city through the crisis. From the courageous City of Crisfield – Mayor P.J. Purnell.

## Introduction

My fellow Marylanders: the story of Dr. Gates, the story of Janice and Melissa, the story of Tribal Chair Savoy and all the Piscataway people, the story of Crisfield and Mayor Purnell, the sacrifices of our fallen heroes – these are *our* stories. Stories of courage. Stories of perseverance.

It is a tremendous honor to serve the people of Maryland with all of you.

When faced with the adversity of the national recession, the people of our State did not make excuses. Instead, they started businesses. They enrolled in night school. They made difficult decisions around the kitchen table about how to do more for their children. They volunteered through churches, and synagogues, and mosques. They pulled their neighbors through Hurricane Sandy and the heavy blizzard that struck Garrett County.

What we have experienced, together, over these last several years... what we have shared with one another, was not denial and it was not fear. Nor was it merely hope. It was belief. It was belief in the dignity of every individual. Our belief in our own responsibility to advance the common good. And our understanding and belief that we are all in this together, and that tomorrow can be better than today – if, with God's grace, we choose to make it so.

Progress is a choice. Job creation is a choice. Whether we give our children a future of more or a future of less – this, too, is a choice.

Our story, Maryland's story, is the story of better choices and better results.

No other state can say at once, and hold your applause, that they are #1 in education five years in a row. #1 in holding down the cost of college tuition. #1 in innovation and entrepreneurship. #1 in human capital capacity. #1 in access to dental care for all children, regardless of income. #1 in PhD scientists and researchers. #1 in Research and Development. #1 in businesses owned by women. #1 in median family income. And we're not done yet.

As we emerge, and we still have a long ways to go, but as we emerge from the toughest of economic times, the State of our State is strong, and we are growing stronger still. And none of this, none of this happened by chance. So many of you have had to cast the tough votes in order to make it possible.

## Better Choices; Better Results

Remember seven years ago? Our State had veered off course. We started following the same, never-mind-the-math approach that created our federal deficits at the national level. Democrats and Republicans alike – in this very Chamber – had voted to cut taxes for millionaires, and to greatly increase state spending, without paying for either one.

The result: a \$1.7 billion structural deficit. That's how math works. What's less, we were paying taxes for a government that was not working; that was failing to deliver results. Underperforming schools. Tuition hikes approaching 40%. Rising crime outside of Baltimore.

But in 2007, together, we started making better choices. We cut spending growth. We added a penny to the sales tax to improve our children's education. We restored revenues by making our tax code more progressive and more fair. We took concrete action to close our structural deficit.

When the national recession hit – wiping out jobs and revenues all across our country including here – other states tried to cut their way to prosperity. Many found this only made things worse. Laying off police officers, fire fighters and teachers. Cutting public education. Hiking up college tuition by double digits every year. Continuing down the merry path of cutting taxes for the very wealthy, hoping against cruel experience that somehow it would trickle down to the rest of us.

But in Maryland, here, we made better choices.

We used the pressure of sinking revenues to make government more efficient and effective. For the first time, we started setting public goals with more immediate deadlines. We started measuring weekly performance to make government more effective, to make it work.

We constrained budget growth and made government smaller. We strengthened our Rainy Day Fund and protected our Triple A Bond Rating.

We fixed our pension system and it wasn't easy. We reformed hundreds of pages of regulations, we streamlined permitting, and we fast tracked jobs projects. We eliminated paperwork, simplified applications for business licenses, and reduced waiting times, in some cases, from months to days.

We advanced public-private partnerships like the one at the Port that's created thousands of jobs.

We put real-time information about the people's government into the people's hands by using the internet, posting the information on the internet, converted paper notecards to digital files, and used smart maps to better target our limited resources.

We cut more state spending than any administration in modern history.

Recognizing that our diversity is our greatest strength, we move forward toward the most ambitious goal in America from empowering women and minority owned businesses. And this year, for the first time we exceeded that goal.

Knowing that we could not cut our way to prosperity, we balanced record budget cuts with modern investments. Investments in the very priorities that create jobs and expand opportunity: educating, innovating, and rebuilding for a better economic future.

Better choices. Better results. The proof is in our progress.

Progress recovering jobs at the fastest rate of any state in the region. Progress helping more of our neighbors transition from welfare to work – 12,000 just last year. Partnering with businesses large, medium and small to create more jobs – 30,300 jobs over the most recent twelve months.

Together with courageous law enforcement officers and firefighters, we are driving down violent crime, driving down homicide, driving down fire deaths – all to historic lows.

We are doing more than any other state to hold down the cost of college tuition so more families can afford to send their kids to college.

We are helping more families to save their homes from foreclosure.

We are reducing infant mortality to record lows. We are now feeding tens of thousands of Maryland children who would otherwise would go hungry. We are doing more than ever before to shelter the homeless. We are helping families, and helping our neighbors free themselves from the despair of substance abuse.

We are moving record cargo through our Port, and record passengers through Baltimore–Washington’s Thurgood Marshall Airport.

Our actions are making the waters, Governor Hughes, Governor Glendening, of the Chesapeake Bay healthier – rescuing the Blue Crab; reviving our Native Oyster; more farmers planting cover crops than ever before in order to improve the waters of our Bay.

And our record investments in public education are delivering record high student achievement. Record high graduation rates. An historic closing of the achievement gaps between white and non–white students. The best Advanced Placement scores in science, technology, engineering, and math our students have ever achieved. The best overall AP scores of any state in the nation.

And this is where you can clap, for not one, not two, not three, not four, but five years in a row – the #1 best public schools in America!

### **Jobs and Education**

These are the choices, these are the choices...these are the choices we have already made. Now to the choices ahead of us.



Job creation must be our top priority, always. While we are recovering jobs faster than any other state in our region, there are still too many moms and dads who are out of work, who are still searching for work.

Therefore, this year's budget is a jobs budget: it invests in 43,000 jobs rebuilding roads, bridges, tunnels, community colleges, affordable housing units, clean water infrastructure, and other forward-looking projects with your help. It protects nearly 26,000 law enforcement jobs throughout our State. It supports over 114,000 jobs educating our children.

This budget invests to improve public education and to build new schools. It accelerates the transition from chalk and textbooks in our classrooms, to iPads, laptops and smart-boards, and 21st century digital learning tools and your vote will accelerate those innovations. And once again, it holds down the cost of college tuition. This progress, as you well know, is only possible with fiscal responsibility and a balanced approach.

The budget before you saves more than recommended by the Spending Affordability Guidelines. It increases both our Rainy Day Fund and our Cash Reserves. It protects our Triple A Bond Rating. It very nearly eliminates the structural deficit. And, it brings our total spending cuts to \$8.3 billion dollars over the life of this administration.

These are the choices which enable us to invest in a stronger and better future, the future that all of us prefer for our children: more job creation, more opportunity, a stronger, growing middle class.

### **Innovation & Entrepreneurship**

Three stories, all with a common theme:

We are joined today in the Gallery by an inventor and an entrepreneur. He reached out to 200 colleges and professors asking for lab space. And guess what, 199 turned him down. He went on to invent an inexpensive tool for detecting pancreatic and ovarian cancers – which he has now patented. 8,500 of our fellow citizens selected him as the winner of our MDForward contest. What's more, the people at Intel selected him, this Marylander, for their top International Science and Engineering prize. He happens to be 15 years old. Buy stock in this guy and please welcome Jack Andraka and his proud mom, Jane who are with us.

We're also joined by a small business owner from Havre de Grace, who also happens to be a courageous, disabled veteran. She moved her business out of her own dining room and into a store front on South Union Avenue. And now she's tripled her customers. Please welcome Sergeant Leana Nishimura-Stewart.

Now Senator Young had occasion to introduce me to this gentleman and I visited with him in Frederick. He started a company called Nexus EnergyHomes. They build houses at market prices – and get this, these homes are designed to consume net zero energy. For families, that means electricity bills, energy bills as low as \$3 or \$4 a month. For the people of Frederick, it means hundreds of jobs. Nexus EnergyHomes was named a national “home builder of the year” last year. Their CEO, Paul Zanecki also joins us in the Gallery.

Now what do these stories have in common? Innovation and entrepreneurship. The United States Chamber of Commerce has named Maryland #1 in innovation and entrepreneurship and they’ve done so for a reason. And it’s a reason to do more, not a reason to do less.

From net zero homes, to mapping the human genome, Marylanders are doing remarkable work that is remaking this world of ours. The life sciences, bio–tech, clean–tech, green–tech, information technology, cyber security, aerospace, and advanced manufacturing – these sectors are all creating jobs right here in Maryland.

Creating jobs through innovation is not just the responsibility though of the private sector. There are things we can do together – through that common platform of our government – to accelerate innovation and improve the business climate: Attracting venture capital, as you are doing, through *InvestMaryland*. Moving more new technologies and ideas out of our great university labs, but moving them into the marketplace where they can create jobs and new opportunities. Leveraging our first–in–the–nation health–IT network. Supporting Lt. Governor Brown’s tremendous efforts to advance more creative uses of public–private partnerships to rebuild our critical infrastructure. Expanding our successful job creation tax credits for biotech, and research and development. And, by this year creating a new cyber security tax credit.

There’s another important thing we can do this year that will also create jobs, and that is off–shore wind. Moving forward with off–shore wind.

Moving forward with off–shore wind could make Maryland, the new regional manufacturing hub for wind turbines. We will create jobs and we will generate abundant and clean, renewable energy, but only if we choose, Mr. Speaker, Mr. President, member of the General Assembly let’s get this done this year, shall we?

### **Maryland’s Workforce**

Ultimately, the greatest assets we have, as you all know, as demonstrated by the votes you’ve cast, are the talents and skills of our people. Maryland has built up one of the most highly skilled workforces in the country. Better choices; better results. But the reality is that too many of the new jobs being created in our new economy still go unfilled. Why? Because too many of our people lack the skills to fill them.

Your vote on the EARN bill, will allow us to partner with business to equip more workers with the skills they need to fill jobs that are in highest demand.

Speaking of skilled workers, veterans, many of them with tremendous skill, who are returning from active duty service often find they face barriers to employment in every state. And oftentimes, this barrier is the state's own licensing system. In Maryland, we can remove those barriers to veterans and their spouses, with your vote for the Veterans Full Employment Act.

We've made solid progress expanding Career & Technology Education in our high schools. But there is so much more that we can do and we must do. If lifelong *learning* is the new reality, then we must give our high school graduates the skills they need for lifelong *earning*.

Prince George's County has a tremendous community college. And Prince George's Community College has partnered with the County's public schools with an innovative solution: they let motivated high school students work toward both their two-year Associates Degree *and* their high school diploma – at the same time. With your vote, for another innovation fund, we can make this sort of early access to affordable college credit a reality for more families across our State.

Which now brings me to the ongoing challenge of college completion.

You've met with them...I've met with them, all across our state the business leaders I meet will tell me we are simply not producing enough college graduates – especially in science, technology, engineering, and math. We have done a good job of getting more of our children *to* college. But we must do a better job of getting more of our students *through* college.

And we're seeing things that actually work. Our community colleges are already delivering results: last year they graduated 49% more students than they were five years ago. That's some pretty impressive progress. They've increased production, and that's why this year I'm asking you to increase their funding so they can do even more.

But we need to pick up the pace at our four-year colleges.

Here are some things we can do, together with our university system, that actually work: we can redesign college curricula and more courses to better promote completion. We can move our system toward rewarding a student's competency, and not merely the number of years he or she spends sitting in a lecture hall. We can rework financial aid so that more students can afford to carry full course loads to complete their degrees on or ahead of time. And we can give students more online options for earning college credit.

We can reach our goals, but we're going to have to make better choices if we want better results.

## A Modern Transportation Network

There's another major job creation action we could take, but so far the consensus has eluded us.

We have the worst traffic congestion in the country. And you all have cast a lot of difficult votes time and time again to move us from the back of the pack to the front of the pack in some cases. There is no reason why we should be content with having the worst traffic congestion in the country. Building a 21st century transportation network won't happen by itself. I greatly appreciate the work the President has been doing as we begin this session and also the conversations with the Speaker. We could be creating thousands of jobs and alleviating traffic congestion at the same time. We can either figure this out together, for every citizen of our State, and we can do this now and end our session, or all of us are going to waste more time and money sitting in more and worse traffic.

To govern is to choose.

## Public Safety

The most fundamental responsibility of any government is public safety. It is the passion for improving public safety that drove me into public service.

Thanks to the brave work of law enforcement officers, thanks to better technology, thanks to better strategies, together we have driven violent crime down nearly 25% since 2006.

Every life is needed. Every life is important. And every day there is more that we must do.

We lose far too many American lives to gun violence.

Who can watch the sad images of the last several weeks, who can see the pictures of those young faces, and honestly say that we are doing enough?

Louis in Montgomery County, who joins us also the Gallery, writes this letter, quote: *"My wife Dorothy,... and I urgently request your ardent support for a comprehensive ban on all deadly assault weapons,... I am a 92-year old veteran of WWII who spent four years in the service of my beloved country. I believe fervently in our Constitution. What I do not believe in is this,...the right to own weapons which should only be used by the military,..."*

Four years ago, with Lt. Governor Brown's leadership, this Assembly took action to protect the victims of domestic violence from the threat of guns. This year, I ask that you take further action, and in a comprehensive way.

I ask you to ban the sale of military assault weapons in Maryland. I ask you to require a license for the purchase of all handguns – but not hunting rifles. I ask that you help improve mental health treatment and information sharing, and to expand crisis intervention. I also ask that you invest in security upgrades in our schools.

Last year, speaking of what works, the people of Prince George’s County teamed with their police department to save 31 more lives, driving down homicides in just one year period of time by 33%. Effective tactics and strategies, rapid deployment, relentless follow-up – there are things we can do they work, they save lives.

Since 2007, because of your support and your vote, we have used forensic DNA technology to take 520 murderers, rapists, and other violent criminals off of our streets. We need to renew our DNA law this year, because DNA technology is a strategy that works.

Performance measured policing, the Violence Prevention Initiative at Parole & Probation, license plate readers, digital fingerprinting technology – these things work, and when the things are working, when they are effective, when they work, we should do more of them. But when we realize that something isn’t working and it’s also expensive, we should stop doing it.

The death penalty is expensive and it does not work and we should stop doing it. Research in our own commission has shown that it is not a deterrent. It cannot be administered without racial bias. It costs three times as much as locking someone up for life without parole. And it cannot be reversed if an innocent person is executed.

It is time to repeal the death penalty in Maryland and replace it with life without parole.

Consider this, consider this: all across our ever–more–closely connected world, the majority of executions now take place in just seven countries: Iran. Iraq. The People’s Republic of China. North Korea. Saudi Arabia. Yemen. And the United States of America.

## **Conclusion**

I leave you with these thoughts:

Life is an ever evolving story of change and choice – letting go of things and ways that were, in order to reach for that which we have yet to achieve.

It is not some random shuffling of the deck, or a tossing of cards. Life is an intentional process, and it calls for the goodness of our own intentions.

We, here in Maryland, are called to work at the center of this intentional movement. For every decision we make, there is a future foretold.

Jobs and opportunity; public safety, public education, public transportation, the health of our people and the health of our planet. These are our concerns; and they are also the world's concerns.

And it comes to this: do we believe the challenges facing our State and our country are things that are happening “to us,” or things that are happening “for us?” If we believe that they are happening *to* us, then we are victims. If, on the other hand, we believe they are happening *for* us, then every problem is actually a means to deeper understanding, to greater growth in the highest sense, to more security, and more opportunity.

Let me be specific.

We are one of the most vulnerable states in our country to the impact of sea-level rise. Climate disruption is real. Climate change is not an ideological issue any more than gravity is. It is physics, pure and simple.

Maryland might not be able to change what people in India or China do with respect to climate. We can, however, use the prospect of a carbon constrained world as the means to invent a more prosperous future, and to drive innovation, and education, and industry, and jobs, and growth.

We are a state, yes; but, we can also act like the heart of a forward-moving country whose eyes and ears are open to the world.

I believe that all of us here in Maryland are truly covered by the shield of His goodness. We need only the courage to let go. To let go of the falsehoods, the vengeance, the short-sightedness of rash and oftentimes imbalanced decisions – the things of our past that no longer serve.

And once leaving them behind, we shall have the reach to make a new world – free from fear, and worthy of our children's love and trust.

Thank you all very, very much.

## ADJOURNMENT

At 12:50 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, January 31, 2013.

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**Annapolis, Maryland**  
**Thursday, January 31, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:08 A.M.

Prayer by Reverend Mark Parker, Breath of God Lutheran Church, guest of Senator Ferguson.

(See Exhibit A of Appendix III)

The Journal of January 30, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Jones–Rodwell be excused from today’s session.

**QUORUM CALL**

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

(See Roll Call No. 101)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 215 – Senator Catherine E. Pugh:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Maryland Chapters of Delta Sigma Theta Sorority  
in recognition of  
your Centennial Anniversary, Torch celebration and Delta Day in Annapolis. Your  
service continues to impact the community and transform lives.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 102)

**Senate Resolution No. 214 – Senator James E. DeGrange, Sr.:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
William and Marian Scherer  
in recognition of  
your 70th Wedding Anniversary on January 14, 2013. As you celebrate this special  
milestone, may you find  
pleasure in knowing that your commitment to  
each other is honored by others.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 31st day of January 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 44    Negative – 0    (See Roll Call No. 103)

**INTRODUCTION OF BILLS****Senate Bill 479 – Senators Gladden and Forehand**

AN ACT concerning

**Criminal Procedure – Expungement of Records – Not Criminally Responsible**

FOR the purpose of authorizing a certain person to file a petition for expungement of certain records if the person was found not criminally responsible under any State or local law that prohibits certain acts; and generally relating to expungement of criminal records.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 10–105(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 480 – Senators Getty and Jennings**

AN ACT concerning

**Criminal Law – Death Penalty – Murder on School or Child Care Facility  
Property**



FOR the purpose of requiring a court or jury, in determining whether to impose a sentence of death, to consider as an aggravating circumstance whether the defendant committed the murder on the property of a private or public school, educational institution, or child care facility; and generally relating to the imposition of the death penalty.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 2–303(g)(1)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 2–303(g)(2)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 481 – Senators Manno, Madaleno, and Raskin**

AN ACT concerning

**Income Tax Credit – Home Generators**

FOR the purpose of allowing an individual a credit against the State income tax for the expense of purchasing a certain generator; providing for the number of credits an individual may claim; providing that the credit may not exceed a certain amount; making the credit refundable; requiring the Comptroller to adopt certain regulations; defining a certain term; providing for the application of this Act; and generally relating to an income tax credit for the expense incurred to purchase a certain generator.

BY adding to  
Article – Tax – General  
Section 10–733  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 482 – Senator Manno**

AN ACT concerning

**Income Tax Credit – Security Clearances – Employer Costs**

FOR the purpose of altering the amount an individual or corporation may claim as a credit against the State income tax for certain costs incurred to obtain federal security clearances and to construct or renovate certain sensitive compartmented information facilities in the State; altering the total amount of credits that the Department of Business and Economic Development may approve for any calendar year; and generally relating to a credit against the State income tax for costs related to federal security clearances.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–732(b) and (c)(2)(i)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 483 – Senator Manno**

AN ACT concerning

**Maryland Youth Advisory Council – Term Limit of Youth Members – Repeal**

FOR the purpose of repealing the term limit for the youth members of the Maryland Youth Advisory Council; and generally relating to the terms of youth members of the Maryland Youth Advisory Council.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–2701(a)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–2701(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 484 – Senators Dyson, Astle, Colburn, Conway, Jacobs, Madaleno, Manno, Pinsky, Pipkin, and Simonaire**

AN ACT concerning

**Income Tax Credit – Oyster Shell Recycling**

FOR the purpose of allowing an individual or corporation a credit against the State income tax for each bushel of oyster shells recycled during the taxable year; requiring an individual or corporation that claims the credit to provide verification of the amount of oyster shells recycled; providing that the credit may not exceed a certain amount; providing that the credit may not be carried forward to another taxable year; requiring the Department of Natural Resources and the Comptroller jointly to adopt certain regulations; providing for the application of this Act; and generally relating to an income tax credit for oyster shell recycling.

BY adding to

Article – Tax – General

Section 10–724.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 485 – Senator McFadden**

AN ACT concerning

**Vehicle Laws – Excise Tax Exemptions – Leased Vehicles**

FOR the purpose of exempting certain leased vehicles from the excise tax imposed on the issuance of a certificate of title; and generally relating to certain exemptions from the vehicle excise tax.

BY repealing and reenacting, without amendments,

Article – Transportation

Section 13–809(b)(1)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–810(a)

Annotated Code of Maryland

(2012 Replacement Volume)

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

**Senate Bill 486 – Senators Brinkley, DeGrange, Robey, and Young**

AN ACT concerning

**Short-Term Rental of Motorcycles – Sales and Use Tax and Motor Vehicle Law**

FOR the purpose of including certain motorcycles in the definition of “short-term vehicle rental” for purposes of determining the sales and use tax rate for certain vehicle rentals; including certain motorcycles in the definition of “rental vehicle” for purposes of the Motor Vehicle Law; and generally relating to the sales and use tax rate and certain Motor Vehicle Law provisions relating to certain motorcycle rentals.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 11–104(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 11–148.1(a) and 13–939.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 487 – Senators Raskin, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, Robey, and Young**

AN ACT concerning

**Human Relations – Housing Discrimination – Source of Income**

FOR the purpose of expanding the housing policy of the State to include providing for fair housing to all citizens regardless of source of income; prohibiting a person from refusing to sell or rent a dwelling to any person because of source of income; establishing certain qualifications and limitations on the general prohibition against discrimination in housing based on source of income; prohibiting a person from discriminating against any person in the terms, conditions, or privileges of the sale or rental of a dwelling because of source of income; prohibiting a person from making, printing, or publishing certain types of materials with respect to the sale or rental of a dwelling that indicate a preference, limitation, or discrimination on the basis of source of income; prohibiting a person from falsely representing that a dwelling is not available for inspection, sale, or rental based on source of income; prohibiting a person

from inducing or attempting to induce, for profit, a person to sell or rent a dwelling by making certain representations relating to the entry or prospective entry into the neighborhood of a person having a particular source of income; prohibiting a person whose business includes engaging in residential real estate transactions from discriminating against any person in making available a transaction, or in the terms or conditions of a transaction, because of source of income; prohibiting a person from denying a person, based on source of income, access to, or membership or participation in, a service, organization, or facility relating to the business of selling or renting dwellings, or discriminating against a person in the terms or conditions of membership or participation; prohibiting a person from, by force or threat of force, willfully injuring, intimidating, or interfering with any person because of source of income and because the person is negotiating for the sale or rental of any dwelling or participating in any service relating to the business of selling or renting dwellings; defining a certain term; providing that certain provisions concerning source of income do not apply to certain housing; providing that this Act does not limit the rights or remedies that are otherwise available to a landlord or tenant under any other law; requiring the Department of Housing and Community Development to evaluate the effectiveness of this Act in achieving its goals and to submit an interim report on the findings and recommendations of the Department to the Governor and the General Assembly on or before a certain date; requiring the Department to submit a final report on its findings and recommendations to the Governor and the General Assembly on or before a certain date; and generally relating to prohibitions against discrimination in housing based on source of income.

BY repealing and reenacting, with amendments,

Article – State Government

Section 20–701, 20–702, 20–704, 20–705, 20–707, and 20–1103

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 488 – Senators Raskin, Benson, Colburn, Conway, Forehand, Madaleno, Manno, Montgomery, and Robey**

AN ACT concerning

**Tanning Devices – Use by Minors – Prohibition**

FOR the purpose of prohibiting certain owners, employees, and operators of tanning facilities from allowing minors to use tanning devices; making a stylistic change; and generally relating to tanning devices.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 20–106

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 489 – Senators Shank and Getty**

AN ACT concerning

**Estates and Trusts – Slayer’s Statute  
(Ann Sue Metz Law)**

FOR the purpose of clarifying that a person who feloniously and intentionally kills, conspires to kill, or procures the killing of the decedent is disqualified from inheriting, taking, enjoying, receiving, or otherwise benefiting from the death, probate estate, or nonprobate property of the decedent, or from receiving a general or special power of appointment conferred by the will or trust of the decedent, or from serving as a personal representative, guardian, or trustee of a trust created by the decedent; providing for the severing of certain survivorship interests in certain circumstances; establishing that a disqualified person is not entitled to certain insurance or contractual benefits; establishing that a disqualified person shall be treated as if the person disclaimed certain property in certain circumstances; providing for the liability and obligations of certain persons; requiring a certain person to make restitution in certain circumstances; providing that a certain conviction is conclusive for certain purposes; authorizing a court to make a certain determination; defining a certain term; providing for the application of this Act; and generally relating to the killing of a decedent.

BY adding to

Article – Estates and Trusts  
Section 11–112  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 490 – Senators Shank, Forehand, Jacobs, and Raskin**

AN ACT concerning

**Domestic Violence – Persons Eligible for Relief and Orders to Vacate Home**

FOR the purpose of altering, for purposes of certain provisions of law relating to domestic violence, the definition of “person eligible for relief” to include an individual who has had a sexual relationship with a certain respondent and an individual involved in a certain intimate relationship with a certain respondent;

establishing that a final protective order may order the respondent to vacate the home immediately and award temporary use and possession of the home to the person eligible for relief or, in certain instances, to an adult living in the home, if the person eligible for relief and the respondent intended to share the home together on a nontemporary basis; and generally relating to domestic violence.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–501(m) and 4–506(d)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 491 – Senator Shank**

AN ACT concerning

#### **Criminal Procedure – Supervising Authority – Sex Offender Transfer Notifications**

FOR the purpose of requiring a supervising authority operating a facility having custody of or providing residential or nonresidential reentry services to a registered sex offender to provide notice of a transfer of the registrant to a facility in another county to the local law enforcement unit in the county of the new facility and the Division of Parole and Probation within a certain period of time; and generally relating to sex offenders.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–701(n)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 11–708(c)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 492 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – AIDS Interfaith Residential Services Program**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of AIDS Interfaith Residential Services, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 493 – Senator Pugh**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Learn’In to Live Again Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$105,000, the proceeds to be used as a grant to the Board of Directors of Learn’In to Live Again, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 494 – Senators Pugh, Conway, Forehand, Garagiola, Jones–Rodwell, King, Madaleno, Montgomery, and Muse**

AN ACT concerning

**Commission on Maryland Cybersecurity Innovation and Excellence – Duties**

FOR the purpose of requiring the Commission on Maryland Cybersecurity Innovation and Excellence to study how telemedicine can be used to reduce health care disparities and address certain provider shortages; and generally relating to the duties of the Commission on Maryland Cybersecurity Innovation and Excellence.

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–2901

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)



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

**Senate Bill 495 – Senators Pugh, Benson, Conway, Jones–Rodwell, Kelley, King, Montgomery, and Muse**

AN ACT concerning

**General Assembly Members – Business Communications as Private Citizens – Notice**

FOR the purpose of authorizing certain members of the General Assembly to include in a business communication a certain statement; providing for the application of this Act; defining a certain term; and generally relating to the business communications of members of the General Assembly as private citizens.

BY adding to

Article – State Government  
Section 2–109  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 496 – Senators Pugh, Forehand, Garagiola, Jones–Rodwell, Kelley, King, Madaleno, Montgomery, and Muse**

AN ACT concerning

**Maryland Medical Assistance Program – Telemedicine**

FOR the purpose of requiring the Maryland Medical Assistance Program to provide certain reimbursement for certain services delivered by telemedicine; and generally relating to the Maryland Medical Assistance Program and telemedicine.

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 15–105.2  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance  
Section 15–139(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 497 – Senators Pugh, Conway, Glassman, Jones–Rodwell, King, Montgomery, and Muse**

AN ACT concerning

**Early Voting Centers – Legislative Districts**

FOR the purpose of requiring each county to establish a certain number of early voting centers in each General Assembly legislative district in the county; and generally relating to early voting centers.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–301.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 498 – Senators Pugh, Benson, Conway, Forehand, Garagiola, Jones–Rodwell, and McFadden**

AN ACT concerning

**Income Tax – Subtraction Modification and Credit – Creation of a Qualifying Business Enterprise**

FOR the purpose of providing a subtraction modification under the Maryland income tax for certain income from certain qualifying sales that result in the creation of certain business enterprises; providing a subtraction modification to sellers of certain business enterprises for income earned while working for certain business enterprises; providing for the recapture of a certain subtraction modification under certain circumstances; providing a certain addition modification under certain circumstances; allowing an individual or a corporation to claim a credit against the State income tax for certain investments that create certain business enterprises; authorizing the Department of Business and Economic Development to issue a certain amount of credit certificates each fiscal year; providing for the total amount of credit certificates that may be issued and the total amount of credits that may be claimed; allowing any excess credit to be claimed as a refund; requiring the Comptroller at the end of each fiscal year to transfer a certain amount from a certain reserve fund to the General Fund; establishing the Investment Income Tax Credit Reserve Fund as a special, nonlapsing fund; specifying the purpose

of the Fund; requiring the Secretary to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Secretary, in consultation with the Comptroller, to issue certain regulations; defining certain terms; providing for the application of this Act; and generally relating to a Maryland income tax subtraction modification and credit for certain sales that result in the creation of certain business enterprises.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–205(a), 10–207(a), 10–306(a), and 10–307(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Tax – General  
Section 10–205(l), 10–207(aa), and 10–733  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–306(b) and 10–307(g)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 499 – Senator Manno**

AN ACT concerning

#### **Vehicle Laws – Obstruction of Driver’s View**

FOR the purpose of altering a certain exception to, and the maximum penalty for a violation of, the prohibition against driving a vehicle with certain materials placed on the windshield or rear window of the vehicle; making certain stylistic changes; and generally relating to prohibitions against driving with an obstructed view.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–1104(d) and 27–101(m)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 27–101(a) and (b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 500 – Senator Brinkley**

AN ACT concerning

**Environment – On–Site Sewage Disposal Systems – Nitrogen Removal  
Technology – Prohibition**

FOR the purpose of prohibiting the Department of the Environment from requiring a person to install an on–site sewage disposal system that utilizes nitrogen removal technology to service certain new construction on certain property that is outside the Chesapeake and Atlantic Coastal Bays Critical Area; and generally relating to nitrogen removal technology for on–site sewage disposal systems.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 9–1108(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–1108(b) and (c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 501 – Senator Conway**

AN ACT concerning

**State Board of Nursing – Licensure by Endorsement – Clinical Experience**

FOR the purpose of clarifying that certain applicants for license by endorsement are required to have a certain active unencumbered license; requiring certain applicants to submit certain applications to the State Board of Nursing and

submit to certain criminal history records checks; authorizing the Board to waive certain clinical experience requirements under certain circumstances; requiring the Board to adopt certain regulations; requiring the Board to report to certain committees of the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the authority of the State Board of Nursing, licensure by endorsement, and clinical experience.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–307  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 502 – Senator Astle**

AN ACT concerning

#### **Maryland Medical Assistance Program – Judgments – Third-Party Tortfeasors**

FOR the purpose of requiring a certain judgment obtained in favor of a Maryland Medical Assistance Program recipient to be increased by a certain amount under certain circumstances; authorizing the Department of Health and Mental Hygiene to collect from a Program recipient the full amount of certain payments under certain circumstances; and generally relating to judgments in favor of Maryland Medical Assistance Program recipients and recovery of payments by the Department of Health and Mental Hygiene.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 15–120  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 503 – Senator Zirkin**

AN ACT concerning

#### **Family Law – Grounds for Divorce**

FOR the purpose of providing that for purposes of granting a limited or an absolute divorce, parties shall be considered to be living separate and apart without cohabitation even if the parties share living expenses and a residence, as long as the parties maintain separate bedrooms; establishing that certain third party corroboration is not necessary under this Act; and generally relating to the grounds for a limited or an absolute divorce.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 7–102 and 7–103  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 504 – Senator Zirkin**

AN ACT concerning

#### **Criminal Law – Threat Against State or Local Official – Definitions**

FOR the purpose of making it a misdemeanor to knowingly and willfully make a threat to take the life of, kidnap, or cause physical injury to a deputy State's Attorney or an assistant State's Attorney; imposing certain penalties; and generally relating to the making of threats against deputy State's Attorneys and assistant State's Attorneys.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–708  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 505 – Senator Zirkin**

AN ACT concerning

#### **Criminal Procedure – Bail Bonds – Cash Bail**

FOR the purpose of authorizing in circuit courts and in the District Court cash bail or cash bond to be posted by the defendant or by a certain private surety acting for the defendant under certain circumstances; requiring cash bail or cash bond to be posted by the defendant only, unless the order setting bail expressly provides otherwise, in cases involving a defendant's failure to pay support to certain

individuals; providing for the repeal of laws inconsistent with this Act; and generally relating to bail bonds in circuit courts and in the District Court.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 5–203 and 5–205  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 506 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Washington County – Technology–Related Businesses – Payment in Lieu of  
Taxes Agreements**

FOR the purpose of authorizing the governing body of Washington County to enter into an agreement with the owner of a technology–related business for payment in lieu of the county personal property tax; requiring that a payment in lieu of taxes agreement include certain provisions; exempting personal property of a technology–related business from county personal property tax as specified in a payment in lieu of taxes agreement; providing for the application of this Act; and generally relating to authorizing Washington County to enter into payment in lieu of taxes agreements with technology–related businesses.

BY adding to  
Article – Tax – Property  
Section 7–509.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 507 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Correctional Facilities – Inmate Programs in Washington County – Payment  
of Child Support**

FOR the purpose of requiring an inmate participating in certain home detention, work release, or pretrial release programs in Washington County to be responsible for costs of child support; and generally relating to child support and inmate programs in Washington County.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 11–723  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 508 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Washington County – Public Facilities Bonds**

FOR the purpose of authorizing and empowering the County Commissioners of Washington County, from time to time, to borrow not more than \$60,000,000 in order to finance the costs of the construction, improvement, or development of certain public facilities in Washington County, as herein defined, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds, and the interest thereon and any income derived therefrom, from all State, county, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land, woodland preservation easements, and transferable development rights; and relating generally to the issuance and sale of such bonds.

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

**Senate Bill 509 – Senator Middleton**

AN ACT concerning

**Cosmetic Surgery – Regulation**



FOR the purpose of requiring an office or a facility in which a cosmetic surgical procedure is performed to be licensed by the Secretary of Health and Mental Hygiene as a freestanding ambulatory care facility; authorizing the State Board of Physicians to take certain disciplinary action against a licensee who performs a cosmetic surgical procedure in a certain facility without being approved through a certain credentialing process or participating in a certain practitioner performance evaluation process; altering certain definitions; defining a certain term; and generally relating to regulation of cosmetic surgery by the State Board of Physicians and the Department of Health and Mental Hygiene.

BY renumbering

Article – Health – General  
Section 19–3B–01(d) through (l), respectively  
to be Section 19–3B–01(e) through (m), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Health – General  
Section 19–3B–01(a) and 19–3B–02(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General  
Section 19–3B–01(b) and (c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health – General  
Section 19–3B–01(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations  
Section 14–101(d) and 14–404(a)(41)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 510 – Senator Pinsky**

AN ACT concerning

**Institutions of Higher Education – Fully Online Distance Education  
Programs – Regulation**

FOR the purpose of altering the type of institution that is required to register with the Maryland Higher Education Commission before enrolling certain students in certain fully online distance education programs; prohibiting certain institutions of higher education from commencing or continuing to enroll certain students without registering with the Maryland Higher Education Commission; prohibiting certain institutions from receiving a registration from the Commission; requiring the Commission to give certain notice to certain institutions under certain circumstances within a certain period of time; providing certain institutions a certain right to judicial review; authorizing certain institutions to enroll certain students without a registration; requiring certain institutions to submit certain financial statements and prohibiting certain institutions from commencing to operate, do business, or function unless the Commission makes a certain determination; requiring certain institutions to file a certain application with the Commission before enrolling certain students; exempting certain institutions from the requirement to register with the Commission; authorizing certain institutions to continue to operate without a registration under certain circumstances; requiring certain institutions to be accredited, submit certain information to the Commission, notify the Commission of certain changes, comply with certain principles of good practice, make public and publish certain information on the institution's Web site, comply with a certain refund policy and procedures, and be subject to certain complaint investigation; altering a certain refund policy and procedure; prohibiting certain institutions from enrolling certain students unless the institution gives certain notice to certain students of the institution's refund policy for certain students and obtains a certain acknowledgment from certain students that the students have received and understand a certain refund policy; requiring the Commission to make public and post on its Web site the names of certain institutions under certain circumstances; altering the contents of a certain report; requiring the Commission to peruse certain databases and certain information sources to make certain determinations during a certain period of time; altering the scope and use of a certain guaranty fund; altering the type of student on behalf of whom a certain claim can be made against a certain fund; requiring certain institutions to pay a certain fee into a certain fund; requiring the Commission to deposit certain penalties into certain funds; authorizing the Commission to impose a certain penalty on certain institutions under certain circumstances; requiring the Commission to deposit certain monetary penalties into a certain fund; subjecting certain institutions to revocation of registration under certain circumstances; altering the length of time before which certain institutions will be subject to a certain fine; prohibiting certain institutions from enrolling certain students under certain circumstances; requiring certain institutions to submit certain data to the Maryland Longitudinal Data System; making certain stylistic changes; defining certain terms; and generally relating to the regulation of institutions of higher education that offer fully online distance education programs.

BY repealing and reenacting, with amendments,

Article – Education

Section 11–202(a)(2) and (3), (c–1)(1), and (d)(1), 11–202.1(b) and (c), 11–202.2, 11–203(a), (d)(1)(iii), (2)(iii), and (3)(i) and (iv), 11–204(c)(2) and (d)(1) and (3), and 24–707(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education

Section 11–202.3

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 511 – Calvert County Senators**

AN ACT concerning

#### **Calvert County – Alcoholic Beverages – Fines**

FOR the purpose of specifying the manner in which a certain fine shall be made payable in Calvert County; authorizing the Board of License Commissioners in Calvert County to issue a fine not exceeding a certain amount for violations of certain alcoholic beverages laws; making stylistic changes; and generally relating to alcoholic beverages in Calvert County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 16–502

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 16–507(f)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 512 – Senators Montgomery, Benson, Forehand, Madaleno, Peters, Pinsky, and Ramirez**

AN ACT concerning

**Health Care Practitioners – Identification Badge**

FOR the purpose of requiring a health care practitioner, when providing health care to a patient, to wear a badge or other form of identification displaying certain information; providing for a certain exception; requiring each health occupation board to adopt certain regulations, including provisions for taking certain disciplinary action; authorizing the regulations to provide certain exemptions or allow use of a certain name; defining a certain term; and generally relating to display of identification by health care practitioners.

BY adding to

Article – Health Occupations

Section 1–220

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 513 – Senators Montgomery, Benson, Forehand, Kelley, King, Manno, Ramirez, Young, and Zirkin**

AN ACT concerning

**Environment – Hydraulic Fracturing Wastewater – Prohibited Acts**

FOR the purpose of prohibiting a person from storing, treating, discharging, or disposing of, in the State, certain wastewater resulting from hydraulic fracturing; defining certain terms; and generally relating to wastewater from hydraulic fracturing.

BY adding to

Article – Environment

Section 9–293 to be under the new part “Part IX. Hydraulic Fracturing Wastewater”

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 514 – Senators Montgomery, Benson, Kelley, Manno, Ramirez, and Zirkin**

AN ACT concerning

**Natural Gas – Hydraulic Fracturing – Prohibition**

FOR the purpose of prohibiting a person from engaging in the hydraulic fracturing of a well for the exploration or production of natural gas in the State; defining a certain term; and generally relating to hydraulic fracturing for the exploration or production of natural gas.

BY adding to

Article – Environment

Section 14–107.1

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 515 – Senator Middleton**

AN ACT concerning

**State Board of Pharmacy – Jurisdiction over Dentists Who Prepare and Dispense Dental Products and Antibiotics**

FOR the purpose of altering the jurisdiction of the State Board of Pharmacy to exclude certain dentists who personally prepare and dispense certain prescription strength dental products and certain antibiotics to certain patients under certain circumstances; requiring certain dentists to enter a record on a certain patient's chart under certain circumstances; and generally relating to the jurisdiction of the State Board of Pharmacy.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–102

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 516 – Senator Jones–Rodwell (By Request – Baltimore City Administration)**

AN ACT concerning

**Economic Development – Baltimore Convention Facility – Operating Deficits**

FOR the purpose of extending the period during which the Maryland Stadium Authority and Baltimore City are obligated under a certain agreement to contribute a certain amount to the annual operating deficits of the Baltimore Convention facility and to pay a certain amount to a certain capital improvement reserve fund; extending the date after which Baltimore City is to be solely responsible for all operating deficits and capital improvements for the Baltimore Convention facility; and generally relating to the financing and payment of certain costs associated with the Baltimore Convention facility.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–640(f)  
Annotated Code of Maryland  
(2008 Volume and 2012 Supplement)

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

**Senate Bill 517 – Senator Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Takoma Park Silver Spring  
Shared Use Community Kitchen**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of the Crossroads Community Food Network, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 518 – Senators Raskin, Ferguson, Kasemeyer, Manno, and Pinsky**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Elective Franchise – Registration and Voting at Polling Places**

FOR the purpose of authorizing the General Assembly to provide by suitable enactment a process to allow a qualified voter to register and vote on election day at a certain polling place in a certain precinct or on a certain day before election day at a certain polling place; making a stylistic change; and

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

BY proposing an amendment to the Maryland Constitution

Article I – Elective Franchise

Section 1 and 2

BY proposing an addition to the Maryland Constitution

Article I – Elective Franchise

Section 2A

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

**Senate Bill 519 – Senators Raskin, Ferguson, Kasemeyer, Manno, Peters, and Pinsky**

AN ACT concerning

**Election Law – Registration and Voting at Early Voting Centers**

FOR the purpose of authorizing an individual to apply to register to vote at certain early voting centers on a day designated for voting before election day by completing a voter registration application and providing certain proof of residency; requiring that an individual who satisfies certain requirements for registration at an early voting center be allowed to vote a provisional ballot; requiring that provisional ballots cast under this Act be separated and held apart from other provisional ballots cast at an early voting center; authorizing a registered voter to access the voting room at an early voting center for the purpose of attesting to the residency of an individual registering to vote; providing that an individual is qualified to cast a provisional ballot under this Act if the local board determines during the canvass that the individual is qualified to become a registered voter; making conforming changes; and generally relating to registering to vote and voting at early voting centers.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–201, 3–302, 9–404, 9–405, 10–308, 10–310(a), and 11–303

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 3–204.2 and 10–310(a–1)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 520 – Senators Montgomery, Benson, and Pinsky**

AN ACT concerning

**Agriculture – Commercial Feed and Drinking Water – Antimicrobial Drug Prohibition**

FOR the purpose of prohibiting a person from using, selling, or distributing certain commercial feed or drinking water intended for a certain use that contains certain antimicrobial drugs on or after a certain date; defining certain terms; and generally relating to commercial feed and drinking water additives.

BY adding to

Article – Agriculture

Section 6–107.4

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 521 – Senators Montgomery, Benson, Madaleno, Pinsky, Raskin, and Young**

AN ACT concerning

**Agriculture – Meat and Poultry – Antibiotic Use – Labeling**

FOR the purpose of requiring certain meat and poultry derived from certain animals that are raised, processed, and sold in the State to bear a certain label identifying certain antibiotic use; and generally relating to labeling meat and poultry.

BY adding to

Article – Agriculture

Section 4–401 to be under the new subtitle “Subtitle 4. Meat and Poultry Raised, Processed, and Sold in the State”

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 522 – Senator Young**



AN ACT concerning

**Frederick Regional Higher Education Advisory Board**

FOR the purpose of establishing the Frederick Regional Higher Education Advisory Board; providing for the composition, appointment, and terms of the Board members; providing for the election of a chair of the Board and the establishment of certain committees; prohibiting Board members from receiving certain compensation but entitling Board members to reimbursement for certain expenses; providing for the powers and duties of the Board; authorizing the Board to apply, accept, and expend certain gifts, appropriations, or grants; authorizing the Board to adopt a corporate seal; requiring the Board to keep certain records and be subject to certain audits; requiring the Frederick County Chamber of Commerce Major Employers Group to take a certain action on or before a certain date; requiring the Board to conduct a certain assessment; defining certain terms; and generally relating to the establishment of the Frederick Regional Higher Education Advisory Board.

BY adding to

Article – Education

Section 24–1001 through 24–1004 to be under the new subtitle “Subtitle 10. Frederick Regional Higher Education Advisory Board”

Annotated Code of Maryland

(2008 Replacement Volume and 2011 Supplement)

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

**Senate Bill 523 – Senators Young, Colburn, Ferguson, Garagiola, Glassman, Pinsky, Raskin, and Shank**

AN ACT concerning

**Political Subdivisions – Legal Notice Requirements – Posting on Web Sites**

FOR the purpose of authorizing a county or municipality to satisfy a requirement to publish legal notices in a newspaper of general circulation by posting the notices on its Web site; requiring notices posted on a county or municipality Web site to be displayed conspicuously and be easily accessible; requiring a county or municipality that chooses to post notices on the Internet to publish certain advance notice in a newspaper of general circulation in the county or municipality and to offer a certain mail service to provide paper copies of notices; requiring the mail service to provide paper copies of notices posted to the county’s or municipality’s Web site in a certain time period; providing that the mail subscription shall be valid for a certain period of time and may be renewed; requiring a county or municipality to provide information about the

mail service on its Web site and in certain notices; requiring a county or municipality to maintain paper copies of notices posted on its Web site and to make the copies available to the public; requiring a county or municipality to maintain an affidavit stating certain information about the posting of a notice on its Web site; providing that the affidavit is not required to be notarized; and generally relating to publication of legal notices by counties and municipalities.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 1–113  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 524 – Senator Colburn**

AN ACT concerning

#### **Wetlands and Riparian Rights – Licenses and Permits for Nonwater–Dependent Projects on State or Private Wetlands**

FOR the purpose of altering the requirements for the issuance of a certain license, a certain permit, and a certain building permit for certain nonwater–dependent projects located on State wetlands or private wetlands; specifically authorizing the issuance of a certain license, a certain permit, and a certain building permit for certain renewable energy systems under certain circumstances; requiring the Board of Public Works to establish an annual compensation rate for certain nonwater–dependent projects in accordance with certain requirements; providing for the application and construction of this Act; authorizing the Board of Public Works to require the payment of certain compensation under a certain circumstance; authorizing a person to apply to the Department of the Environment for a certain license or a certain permit for certain nonwater–dependent projects in existence on or before a certain date if the application is filed on or before a certain date under certain circumstances; requiring the Department to evaluate certain applications in accordance with certain requirements; requiring a person to remove unauthorized nonwater–dependent projects under certain circumstances; establishing the intent of the General Assembly; defining certain terms; and generally relating to nonwater–dependent projects on State or private wetlands.

BY repealing and reenacting, with amendments,

Article – Environment  
Section 16–101, 16–104, and 16–205  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–1808.4  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 525 – Senators Colburn and Dyson**

AN ACT concerning

**Fishing – Sustainable Fisheries Enforcement Fund**

FOR the purpose of establishing the Sustainable Fisheries Enforcement Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Natural Resources to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; applying a certain surcharge to certain angler's licenses, commercial fishing licenses, and recreational fishing licenses; requiring that a certain surcharge be credited to the Sustainable Fisheries Enforcement Fund to finance certain enforcement activities of the Natural Resources Police Force; defining a certain term; providing for a delayed effective date; and generally relating to the Sustainable Fisheries Enforcement Fund.

BY adding to  
Article – Natural Resources  
Section 1–211  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 4–604(a) and 4–701(a) and (d)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–604(f), 4–701(e) and (p), and 4–745  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 526 – Senators Colburn and Pipkin**

AN ACT concerning

**Counties and Municipalities – Required Legislation or Regulations –  
Adoption by Reference**

FOR the purpose of authorizing a county or municipality to adopt certain State laws or regulations by reference under certain circumstances; requiring certain counties or municipalities to specify certain matters under certain circumstances; and generally relating to the adoption by reference of certain State laws or regulations by counties and municipalities.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 1–113  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 527 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Dorchester County – Chesapeake Grove Senior  
Housing and Intergenerational Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Directors of Delmarva Community Services, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 528 – Senator Colburn**

AN ACT concerning

**Business Regulation – Shark Fin Soup – Prohibition on Sale or Consumption**

FOR the purpose of prohibiting a restaurant or grocery store from selling shark fin soup; prohibiting an individual from consuming shark fin soup; establishing certain civil penalties for violations of this Act; defining certain terms; and generally relating to a prohibition against the sale or consumption of shark fin soup.

BY adding to

Article – Business Regulation

Section 17–1605

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 529 – Senator Ferguson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Leadenhall Community Outreach Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of Leadenhall Baptist Church, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 530 – Senator Ferguson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Patterson Park Audubon Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Audubon Maryland–DC, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 531 – Senator Ferguson**

AN ACT concerning

**Criminal Law – Access to Firearms – Penalties**

FOR the purpose of prohibiting a person from storing or leaving a loaded or unloaded firearm in a location where certain individuals could gain access to the firearm; altering the penalty for a violation of this Act; making certain stylistic changes; and generally relating to access to firearms.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–104  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 532 – Senators Ferguson and Ramirez**

AN ACT concerning

**Criminal Law – Child’s Access to Firearms – Penalty**

FOR the purpose of altering the penalty for storing or leaving a loaded firearm in a location where the person knew or should have known that an unsupervised child would gain access to the firearm; and generally relating to firearms offenses.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–104  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 533 – Senators Jacobs, Brinkley, Colburn, Glassman, Pipkin, and Reilly**

AN ACT concerning

**Handguns – School Employees – Handgun Permits and Carrying Weapons on School Property**

FOR the purpose of authorizing a county board to authorize school employees in the county board's school system to carry a handgun on school property under certain circumstances; requiring the Secretary of State Police to issue a handgun permit to a person who is otherwise qualified and who is a school employee in a certain school system; creating an exception to the prohibition against carrying a deadly weapon on public school property for a school employee authorized to carry a handgun by the county board and who has been issued a handgun permit under certain circumstances; and generally relating to school employees, handgun permits, and carrying weapons on school property.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 4–102  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Education  
Section 3–104(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–306  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 534 – Senator Shank**

AN ACT concerning

#### **Family Law – Preventing or Interfering with Report of Suspected Child Abuse or Neglect**

FOR the purpose of prohibiting an individual from preventing or interfering with the making of a certain report of suspected child abuse or neglect; specifying a penalty for a violation of this Act; and generally relating to the reporting of suspected child abuse or neglect.

BY repealing and reenacting, without amendments,  
Article – Family Law  
Section 5–704(a) and 5–705.1(c)(1) and (2)  
Annotated Code of Maryland

(2012 Replacement Volume)

BY adding to

Article – Family Law  
Section 5–705.2  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 535 – Senators Shank, Edwards, and Young**

AN ACT concerning

**Washington County – Amusement Devices – Tip Jars**

FOR the purpose of altering the definition of “amusement device” as it relates to the operation and regulation of amusement devices in Washington County to include a game activated by an object or another consideration of value; altering the definition of “gross profits” as it relates to the operation of tip jars in Washington County to require the deduction of the cost of a gaming sticker; and generally relating to the operation and regulation of amusement devices and tip jars in Washington County.

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 11–202  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 13–2435  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 536 – Senators Shank and Zirkin**

AN ACT concerning

**Department of Juvenile Services – Graduated Responses – Report**

FOR the purpose of requiring the Department of Juvenile Services to report to certain committees of the General Assembly on or before a certain date on the implementation of a system of graduated responses for children under the



jurisdiction of the Department; defining a certain term; and generally relating to the Department of Juvenile Services and graduated responses.

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

**Senate Bill 537 – Senators Shank, Ferguson, Rosapepe, and Young**

AN ACT concerning

**State Board of Education – Online Courses – Graduation Requirement**

FOR the purpose of requiring a student to complete an online course to graduate from high school, beginning with students entering a certain grade in a certain school year; requiring that certain online courses be approved by the State Department of Education or the local county board of education; and generally relating to high school graduation requirements in the State.

BY adding to

Article – Education

Section 7–205.1

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**MOTION**

Senator Klausmeier moved to suspend Rule 32 to allow **Senate Bill 538** to be referred to the appropriate committee.

The motion was adopted.

**INTRODUCTION OF BILLS**

**Senate Bill 538 – The President (By Request – Administration) and Senators Colburn, Jones–Rodwell, King, Madaleno, Manno, Middleton, and Peters**

AN ACT concerning

**Public–Private Partnerships**

FOR the purpose of establishing the policy of the State on public–private partnerships; altering provisions of law relating to public–private partnerships; authorizing a

certain agency to establish a public–private partnership and execute a partnership agreement in connection with certain functions, services, or assets; requiring a certain agency to adopt certain regulations and establish certain processes for the development, solicitation, evaluation, award, and delivery of public–private partnerships; requiring certain legislative committees to review and comment on certain processes and regulations; requiring certain agencies to submit, on or before a certain date each year, certain reports to certain legislative committees; establishing certain requirements for certain reports; establishing deadlines for the review of certain presolicitation reports; requiring certain projects to comply with certain provisions of law; requiring that State employees retain certain protections under certain circumstances; requiring a reporting agency to issue a public notice of solicitation for a public–private partnership under certain circumstances; requiring certain agencies to comply with certain requirements before issuing a solicitation for a public–private partnership; providing that a certain entity may be qualified as a bidder through certain processes; authorizing a reporting agency to engage in discussions with qualified bidders at certain times and under certain circumstances; requiring a certain agency to make a certain responsibility determination concerning certain entities; authorizing a reporting agency to reimburse a private entity for certain costs and pay a certain entity for the right to use a certain work product; requiring a reporting agency to adopt certain regulations that establish the process for the reimbursement of a private entity; prohibiting a reporting agency from reimbursing a private entity under certain circumstances; requiring a certain agency to submit certain reports to certain officials and committees; prohibiting the Board of Public Works from approving a public–private partnership agreement until the completion of a certain review by certain officials and committees; establishing deadlines for the review of public–private partnership agreements; requiring a certain agency to post a certain agreement on a certain Web site; requiring certain entities to provide performance bonds; prohibiting a public–private partnership agreement from exceeding a certain number of years, with certain exceptions; prohibiting noncompete agreements for certain assets; authorizing the award of certain compensation under certain circumstances; establishing certain requirements for a final public–private partnership agreement; requiring certain proceeds to accrue to certain funds; requiring a certain agency to post on the Internet a certain final agreement; authorizing a certain agency to establish by regulation certain application fees for certain unsolicited proposals; establishing certain requirements for certain unsolicited proposals; authorizing an individual or firm that submits an unsolicited proposal to participate in a certain subsequent process; providing that certain provisions of the State ethics law do not preclude a certain individual or firm from entering into a certain agreement; providing, under certain circumstances, that the provisions of the Minority Business Enterprise Program apply to public–private partnerships; prohibiting the Board of Public Works from approving a public–private partnership agreement until the reporting agency, in consultation with certain entities, establishes certain minority business enterprise goals and procedures; requiring that certain goals and procedures be based on the requirements of certain provisions of law;

exempting public-private partnerships from certain requirements of the State procurement law; repealing certain obsolete provisions; defining a certain term; altering certain definitions; providing for the application of this Act; providing for the termination of certain provisions of this Act; and generally relating to public-private partnerships.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 10A-101  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing  
Article – State Finance and Procurement  
Section 10A-102  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 10A-102 through 10A-105 to be under the new subtitle “Subtitle 1. Definitions; General Provisions”; 10A-201 through 10A-204 to be under the new subtitle “Subtitle 2. Solicited Proposals”; 10A-301 to be under the new subtitle “Subtitle 3. Unsolicited Proposals”; 10A-401 through 10A-403 to be under the new subtitle “Subtitle 4. Public-Private Partnership Agreements”; and 11-203(h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Transportation  
Section 4-406  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

## LETTERS OF REASSIGNMENT

### ANNOUNCEMENT BY THE PRESIDENT

**Senate Bill 442 – Senator Gladden**

AN ACT concerning

**Residential Child Care Programs – Memorandum of Understanding**

Reassigned to the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

### **THE COMMITTEE ON FINANCE REPORT #5**

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

#### **Senate Bill 8 – Senators Astle and Middleton**

AN ACT concerning

#### **Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge**

**SB0008/867177/1**

BY: Finance Committee

#### AMENDMENTS TO SENATE BILL 8

(First Reading File Bill)

##### AMENDMENT NO. 1

On page 1, in line 16, strike “a” and substitute “an approved”.

##### AMENDMENT NO. 2

On page 3, in line 24, strike “AND”; and in line 26, after “PLAN” insert “; AND”

**(IV) ANY OTHER INFORMATION THE COMMISSION CONSIDERS NECESSARY TO EVALUATE THE PLAN**”.

On page 4, in lines 1 and 4, in each instance, after “PROJECT” insert “, BASED ON NEW ASSETS LESS RETIRED PLANT”; in lines 18 and 19, strike “ON EACH RESIDENTIAL CUSTOMER ACCOUNT”; in line 24, after “ACCOUNT” insert “, BUT SHALL BE CAPPED UNDER ITEM (II) OF THIS PARAGRAPH”; and in line 25, after “(II)” insert “TO CREATE A SURCHARGE CAP FOR ALL CUSTOMER CLASSES,”.

##### AMENDMENT NO. 3

On page 5, in line 12, strike “A” and substitute “AN APPROVED”; in line 20, after “(4)” insert “(I)”; and after line 22, insert:

**“(II) COSTS RECOVERED UNDER THE SCHEDULE APPROVED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY RELATE ONLY TO THE PROJECTS WITHIN THE PLAN APPROVED BY THE COMMISSION.”**

On page 6, in line 4, strike “UNJUSTIFIED” and substitute “NOT REASONABLE OR PRUDENT”; in lines 19 and 23, in each instance, strike “A PROJECT IN”; strike beginning with “AN” in line 29 down through “PLAN” in line 30 and substitute “A RECONCILIATION”; strike beginning with “ESTIMATED” in line 31 down through “IN” in line 32 and substitute “ACTUAL COST OF”; and in line 32, after the first “THE” insert “ACTUAL”.

The preceding 3 amendments were read only.

Senator Astle moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

### MOTION

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

### SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #1  
January 31, 2013

**District Court, Allegany County (District 12)**

1. Edward A. Malloy, Jr. District 1

Judge of the District Court of Maryland, District 12, Allegany County; reappointed to serve a term of ten years from December 17, 2012

**District Court, Anne Arundel County (District 7)**

2. John P. McKenna, Jr. District 33

Judge of the District Court of Maryland, District 7, Anne Arundel County; appointed to serve a term of ten years from December 5, 2012

**District Court, Baltimore City (District 1)**

3. Rachel Elizabeth Cogen, Esq. District 41

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from May 9, 2012

4. Melissa Kaye Copeland, Esq. District 41

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from May 4, 2012

5. Jennifer Etheridge, Esq. District 46

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from May 1, 2012

6. Halee F. Weinstein District 43

Judge of the District Court of Maryland, District 1, Baltimore City; reappointed to serve a term of ten years from August 5, 2012

**District Court, Baltimore County (District 8)**

7. Michael T. Pate, Esq. District 11

Judge of the District Court of Maryland, District 8, Baltimore County; appointed to serve a term of ten years from January 29, 2013

8. Kimberly M. Thomas, Esq. District 10

Judge of the District Court of Maryland, District 8, Baltimore County; appointed to serve a term of ten years from January 23, 2013

**District Court, Carroll County (District 10)**

9. Brian Green, Esq. District 9

Judge of the District Court of Maryland, District 10, Carroll County; appointed to serve a term of ten years from February 8, 2013

**District Court, Howard County (District 10)**

10. Sue–Ellen Hantman District 12

Judge of the District Court of Maryland, District 10, Howard County; reappointed to serve a term of ten years from January 2, 2013

**District Court, Montgomery County (District 6)**

11. Jeannie Eun Kyung Cho District 19

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years from August 24, 2012

12. John C. Moffett, Esq. District 15

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years from September 6, 2012

13. Karla N. Smith, Esq. District 16

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years from August 30, 2012

**District Court, Prince George’s County (District 5)**

14. Robin D. Bright, Esq. District 23

Judge of the District Court of Maryland, District 5, Prince George’s County; appointed to serve a term of ten years from May 10, 2012

15. Karen H. Mason, Esq. District 23  
Judge of the District Court of Maryland, District 5, Prince George's County; appointed to serve a term of ten years from April 30, 2012
16. Erik H. Nyce, Esq. District 23  
Judge of the District Court of Maryland, District 5, Prince George's County; appointed to serve a term of ten years from June 7, 2012
17. Joseph L. Wright, Esq. District 23  
Judge of the District Court of Maryland, District 5, Prince George's County; appointed to serve a term of ten years from May 8, 2012

#### **District Court, Wicomico County (District 2)**

18. John Phillip Rue, II District 38  
Judge of the District Court of Maryland, District 2, Wicomico County; appointed to serve a term of ten years from August 6, 2012

#### **Special Appeals, Court of**

19. Douglas R. M. Nazarian District 12  
Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from January 8, 2013

#### **Higher Education Commission, Maryland**

20. Danette Gerald Howard, Ph.D. District 32  
1015 Ironwood Lane  
Hanover, MD 21076  
Secretary of Maryland Higher Education Commission; appointed to serve at the pleasure of the Governor

#### **African American History and Culture, Commission on**

21. Denise A. Barnes District 28  
13830 Barnes–Chapman Place  
Waldorf, MD 20601  
Member of the Commission on African American History and Culture; appointed to serve a term to expire June 30, 2015



22. William A. Coates District 28  
3799 Lucille Thornton Place  
Indian Head, MD 20640

Member of the Commission on African American History and Culture;  
appointed to serve a term to expire June 30, 2013

23. Sharon E. Parker District 27  
6104 Wigan Court  
Clinton, MD 20735

Member of the Commission on African American History and Culture;  
appointed to serve a term to expire June 30, 2014

#### **Airport Zoning Appeals Board**

24. Darryl Barnes District 25  
1707 Cinnamon Teal Way  
Upper Marlboro, MD 20774

Member of the Airport Zoning Appeals Board; appointed to serve remainder of a  
term of four years from July 1, 2011

#### **Architects, State Board of**

25. Diane Cho District 11  
1926 Club Road  
Stevenson, MD 21153

Member of the State Board of Architects; reappointed to serve a term of five  
years from July 1, 2012

#### **Automobile Insurance Fund, Board of Trustees of the Maryland**

26. Enor R. Williams, Jr. District 27  
9406 Pine View Lane  
Clinton, MD 20735

Member of the Board of Trustees of the Maryland Automobile Insurance Fund;  
appointed to serve at the pleasure of the Governor

**Boiler Rules, Board of**

27. John Dunnock District 99  
20 Baugher Drive  
Hanover, PA 17331

Member of the Board of Boiler Rules; appointed to serve a term of four years from January 1, 2009 and a term of four years from January 1, 2013

**Canal Place Preservation and Development Authority**

28. Janice S. Keene District 1  
101 Braddock Heights  
Frostburg, MD 21532-2345

Member of the Canal Place Preservation and Development Authority; appointed to serve a term of four years from June 1, 2012

29. J. Robert Smith District 1  
11708 Bayberry Avenue  
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2011

**Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO) Board of Directors**

30. Aden A. King District 30  
605 Burnside Street  
Annapolis, MD 21403

Member of the Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO) Board of Directors; appointed to serve a term of four years from July 1, 2011

31. Rantz W. Purcell District 38  
10010 Arden Station Road  
Princess Anne, MD 21853

Member of the Maryland Agricultural and Resource-Based Industry Development Corporation (MARBIDCO) Board of Directors; appointed to serve a term of four years from July 1, 2010

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Airport Zoning Appeals Board**

- S-1. Manuel R. Geraldo, Esq. District 26  
802 Swan Creek Road  
Fort Washington, MD 20744

Member of the Airport Zoning Appeals Board; reappointed to serve a term of four years from July 1, 2012

- S-2. Jeffrey H. Utzinger District 12  
1262 Vogt Avenue  
Baltimore, MD 21227

Member of the Airport Zoning Appeals Board; reappointed to serve a term of four years from July 1, 2012

**Blind Industries and Services of Maryland, Board of Trustees of**

- S-3. Peter L. Gehlbach, M.D., Ph.D. District 5  
13 Chesterfield Court  
Monkton, MD 21111

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2012

- S-4. William E. Hadlock, Ed.D. District 9  
3454 Arcadia Drive  
Ellicott City, MD 21042

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2012

- S-5. Carolyn Hess Johnson District 35  
2700 Mercer Drive  
Baldwin, MD 21013

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2011

S–6. Gerald L. Moschel District 32  
1707 Saunders Way  
Glen Burnie, MD 21061

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2011

S–7. Martha E. Seabrooks District 43  
1016 East Lake Avenue  
Baltimore, MD 21212

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2011

### **Boiler Rules, Board of**

S–8. Kevin J. Mulvey District 31  
8236 Silver Run Court  
Pasadena, MD 21122

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2013

### **Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the**

S–9. Virginia P. Clagett District 30  
1387 Cumberstone Road, Box 1  
West River, MD 20778

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2012

S–10. Donald E. Sutton District 36  
P.O. Box 157, 8 Wheeler Avenue  
Betterton, MD 21610

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2012

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 1, 2013.

The motion was adopted.

**QUORUM CALL**

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

(See Roll Call No. 104)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #7**

**Senate Bill 2 – Senator Colburn**

**EMERGENCY BILL**

AN ACT concerning

**Dorchester County – Turkey Hunting on Public Land – Sundays**

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

Affirmative – 46    Negative – 0    (See Roll Call No. 105)

The Bill was then sent to the House of Delegates.

**Senate Bill 11 – Senator Astle**

AN ACT concerning

**Natural Resources – State Boat Act – Expiration of Temporary Certificate of Boat Number**

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

Affirmative – 46    Negative – 0    (See Roll Call No. 106)

The Bill was then sent to the House of Delegates.

**Senate Bill 21 – Senator Klausmeier**

AN ACT concerning

**Natural Resources – Aquaculture Coordinating Council – Reporting Date**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 107)

The Bill was then sent to the House of Delegates.

**Senate Bill 27 – ~~Senator Astle~~ Senators Astle, Miller, Conway, Pinsky, Rosapepe, Benson, Young, and Ferguson**

AN ACT concerning

**Chesapeake Conservation Corps Program – Extension**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 108)

The Bill was then sent to the House of Delegates.

**Senate Bill 58 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Adult Education and Literacy Services – High School Diploma by Examination – Eligibility Requirements**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 109)

The Bill was then sent to the House of Delegates.

**Senate Bill 61 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Environment)**

AN ACT concerning

**Environment – Public Hearings – Notice Requirement**

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

Affirmative – 46 Negative – 0 (See Roll Call No. 110)

The Bill was then sent to the House of Delegates.

**Senate Bill 66 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**Maryland Home Improvement Commission – Membership, Quorum, ~~and~~  
Meetings, and Reports**

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

Affirmative – 46    Negative – 0    (See Roll Call No. 111)

The Bill was then sent to the House of Delegates.

**Senate Bill 78 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**Maryland Home Improvement Commission – Guaranty Fund – Claims**

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

Affirmative – 46    Negative – 0    (See Roll Call No. 112)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

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

(See Roll Call No. 113)

**ADJOURNMENT**

At 10:45 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 1, 2013.

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**Annapolis, Maryland  
Friday, February 1, 2013  
11:00 A.M. Session**

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The Senate met at 11:12 A.M.

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

(See Exhibit A of Appendix III)

The Journal of January 31, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Jones–Rodwell, Shank, Stone and Zirkin be excused from today’s session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 118)

**INTRODUCTION OF BILLS**

**Senate Bill 539 – Senators Raskin, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Jones–Rodwell, King, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Young, and Zirkin**

AN ACT concerning

**Firearms – Detachable Magazines – Maximum Capacity for Ammunition**

FOR the purpose of altering the maximum capacity for ammunition of a detachable magazine for a firearm that can be sold, offered for sale, purchased, received, or transferred; altering the maximum capacity for ammunition of a magazine, which, when used by a person in the commission of a felony or crime of violence, results in that person being guilty of a misdemeanor and subject to certain penalties; and generally relating to firearms with detachable magazines.

BY repealing and reenacting, with amendments,  
Article – Criminal Law



Section 4-305 and 4-306  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 540 – Senators Raskin, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Jones–Rodwell, King, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Young, and Zirkin**

AN ACT concerning

**Public Safety – Regulated Firearms – Reporting Lost or Stolen**

FOR the purpose of requiring certain persons who sell or transfer regulated firearms to notify certain purchasers or recipients at the time of purchase or transfer that the purchaser or recipient is required to report a lost or stolen regulated firearm to a certain law enforcement agency; requiring the owner of a regulated firearm to report the loss or theft of the regulated firearm to a certain law enforcement agency within a certain period of time after the owner discovers the loss or theft; requiring a law enforcement agency on receipt of a report of a lost or stolen regulated firearm to enter certain information into a certain database; establishing certain penalties; and generally relating to reports of lost or stolen firearms.

BY adding to  
Article – Public Safety  
Section 5-144  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 541 – Senator Young**

AN ACT concerning

**Health Occupations – Licensed Podiatrists – Scope of Practice**

FOR the purpose of altering the definition of “practice podiatry” to include the surgical treatment of acute ankle fracture in the scope of practice of licensed podiatrists; and generally relating to licensed podiatrists.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 16-101

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 542 – Senators Young, Jacobs, Raskin, and Shank**

AN ACT concerning

**Election Law – Polling Places – Electioneering**

FOR the purpose of requiring that electioneering be allowed on the premises of a public building that is used for a polling place up to a certain electioneering boundary; prohibiting a polling place from being located in a privately owned building unless the owner of the building agrees to allow electioneering on the premises up to a certain electioneering boundary; and generally relating to electioneering at polling places.

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 10–101(a)(1) and (2)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 10–101(a)(3) and (4)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 543 – Senator Frosh**

AN ACT concerning

**Foster Care Recipients – Waiver of Tuition and Other Charges**

FOR the purpose of altering the definition of “tuition” to include certain other charges for attending a public institution of higher education; and generally relating to a waiver of tuition and other charges at institutions of higher education for foster care recipients.

BY repealing and reenacting, with amendments,  
Article – Education

Section 15–106.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 544 – Senators Frosh, Conway, Ferguson, Garagiola, Madaleno, Manno, McFadden, Montgomery, Muse, and Raskin**

AN ACT concerning

**Public Safety – Ammunition – Sales Records**

FOR the purpose of requiring a certain person engaged in the business of selling certain ammunition to keep certain records of certain sales; requiring a certain person to verify certain information; requiring the Secretary of State Police to adopt certain regulations; authorizing the Secretary or the Secretary’s designee to inspect certain records under certain circumstances; requiring the Secretary or the Secretary’s designee to make a certain inspection in the presence of a certain person under certain circumstances; requiring a certain person to present certain identification to purchase ammunition; establishing certain penalties; requiring certain penalties to be assessed with consideration of certain circumstances; defining certain terms; and generally relating to ammunition and sales records.

BY adding to

Article – Public Safety

Section 5–601 through 5–604 to be under the new subtitle “Subtitle 6. Ammunition”

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 545 – Senators Frosh, Brinkley, Brochin, Conway, Dyson, Getty, Glassman, Kittleman, Madaleno, Middleton, Miller, Robey, and Stone**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**Legislative Immunity – Prosecutions for Bribery**

FOR the purpose of proposing an amendment to the Maryland Constitution to provide that a certain legislative immunity or privilege does not apply in a certain

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

BY proposing an amendment to the Maryland Constitution  
Article III – Legislative Department  
Section 18

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

**Senate Bill 546 – Senators Frosh, Brinkley, Brochin, Conway, Dyson, Getty, Glassman, Kittleman, Madaleno, Middleton, Miller, Robey, and Stone**

AN ACT concerning

**Immunity of Local Government Officials – Prosecutions for Bribery**

FOR the purpose of providing an exception to certain immunity for certain government officials for words spoken at certain meetings; and generally relating to immunity of local government officials.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–501  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 9–201  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 547 – Senators Middleton and Frosh**

AN ACT concerning

**Natural Resources – Nuisance Organisms – Penalties**

FOR the purpose of creating a separate criminal offense for each nuisance organism imported or possessed in violation of certain provisions of law or regulation; authorizing a judge to award a certain monetary reward to a person who provides information leading to a certain conviction, under certain circumstances; and generally relating to nuisance organisms.

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 4–205.1(a)(8)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–205.1(i)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 548 – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Glassman, Madaleno, Manno, McFadden, Peters, and Raskin**

AN ACT concerning

**State Department of Education – Minority Teacher Recruitment – Study and Report**

FOR the purpose of requiring the State Department of Education to study and make recommendations on certain strategies to increase and improve minority teacher recruitment, preparation, development, and retention in elementary and secondary education in the State; requiring the Department to submit a certain report to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to minority teacher recruitment and the State Department of Education.

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

**Senate Bill 549 – Senators Peters, Currie, and Miller**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Multiuse Fields**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$4,000,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission and the Board of Directors of the Greenbranch Management Group Corp. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 550 – Senator Jennings**

AN ACT concerning

**State Board of Physicians – Disciplinary and Licensure Procedures –  
Revision**

FOR the purpose of requiring the continuing education requirements allow a certain license to receive up to a certain number of credit hours for providing certain services; requiring that the factual findings of a hearing officer under a certain provision of law be supported by clear and convincing evidence, rather than a preponderance of the evidence; authorizing a licensee whose license has been summarily suspended by the State Board of Physicians under a certain provision of law to elect to have a hearing officer make certain final findings and conclusions and determine, under certain circumstances, the disciplinary action that should be imposed on the licensee; requiring the hearing officer to refer certain final findings and conclusions and disciplinary action to the Board for a certain purpose; requiring the Board, under certain circumstances, to pass a certain order within a certain time period; prohibiting the Board, under certain circumstances, from altering certain final findings and conclusions made by a hearing officer and from implementing a disciplinary action that is different from the disciplinary action the hearing officer determined should be imposed; requiring the Board to dismiss charges under certain circumstances; repealing the authorization for a certain person aggrieved by a final decision of the Board in a contested case to appeal to the Board of Review; authorizing a person aggrieved by a final decision of a hearing officer under a certain provision of this Act to take a direct judicial appeal; authorizing a licensee to seek expungement of the licensee's disciplinary record; requiring the Board to adopt certain regulations regarding the expungement of a licensee's disciplinary record; requiring the Board, on or before a certain date, to issue a certain request for proposal regarding a certain continuing education program; making certain conforming changes; and generally relating to the disciplinary and licensure procedures of the State Board of Physicians.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14–316(d), 14–405, 14–406, 14–408, 14–5A–17.1, 14–5B–14.1,  
14–5D–15, 14–5E–17, 15–313(b), and 15–315

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health Occupations

Section 14–409.1

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 551 – Senator Pinsky**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Riverdale Park Town Hall Youth and Community Wing**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Mayor and Town Council of the Town of Riverdale Park for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 552 – Senator Gladden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Liberty Rec and Tech Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$200,000, the proceeds to be used as a grant to the Board of Directors of Howard Park Civic Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 553 – Senator Getty**

AN ACT concerning

**Tipped Employees – Payments or Deduction from Wages – Prohibition**

FOR the purpose of prohibiting certain employers from requiring a tipped employee to reimburse or pay the employer certain amounts under certain circumstances;

prohibiting certain employers from deducting certain amounts from a tipped employee under certain circumstances; defining a certain term; and generally relating to tipped employees and unpaid customer charges.

BY adding to

Article – Labor and Employment

Section 3–713

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 554 – Senator Frosh**

AN ACT concerning

#### **Business Occupations and Professions – Private Process Service – Licensing and Certification**

FOR the purpose of requiring the licensure as a private process service agency of any person who provides certain private process service; providing for the terms and renewals of the licenses, qualifications for and duties of licensees, display of licenses, and required records of a licensee; establishing certain administrative, financial, and surety bond requirements for a licensed private process service agency; establishing the qualifications for and duties of certified private process servers; providing for the denial, reprimand, suspension, or revocation of private process service agency licenses and private process server certification; establishing certain exceptions to certain license and certification requirements; establishing certain powers of and imposing certain duties on the Secretary of State Police; prohibiting certain acts; imposing certain penalties for certain violations; defining certain terms; and generally relating to the licensing of private process service agencies and the certification of private process servers.

BY adding to

Article – Business Occupations and Professions

Section 13.5–101 through 13.5–701 to be under the new title “Title 13.5. Private Process Servers”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 555 – Senators Garagiola, Manno, Benson, Forehand, King, Klausmeier, Madaleno, Montgomery, Peters, Ramirez, Rosapepe, and Stone**

AN ACT concerning



**Construction Safety and Health Training – Public Work Contracts**

FOR the purpose of requiring certain individuals performing work on certain public work projects to complete certain construction safety training; requiring certain contractors, before beginning work on a public work contract, to provide a certification to a public body that certain individuals have received construction safety training; requiring the Commissioner of Labor and Industry to investigate compliance with the training requirement; requiring a public body to withhold certain liquidated damages to cover the liability of a contractor if notified by the Commissioner of Labor and Industry of a violation; providing for a hearing after completion of an investigation; providing for the imposition of liquidated damages of certain amounts for certain violations; providing for debarment of certain contractors under certain circumstances; authorizing the Commissioner to adopt certain regulations; defining certain terms; and generally relating to construction safety training.

BY adding to

Article – State Finance and Procurement

Section 17–801 through 17–808 to be under the new subtitle “Subtitle 8.  
Construction Safety and Health Training”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 556 – Senator Stone**

AN ACT concerning

**Criminal Procedure – Persons Committed as Not Criminally Responsible –  
Release**

FOR the purpose of requiring the State’s Attorney to be a party to, and have certain rights in, certain proceedings relating to the release of a person committed to the Department of Health and Mental Hygiene as not criminally responsible under the test for criminal responsibility; requiring that notice to the State’s Attorney of a certain release hearing be sent at least a certain period of time before the hearing and include a certain evaluation and report; requiring the Office of Administrative Hearings, in recommending the conditions of a conditional release, to give consideration to specific conditions recommended by the State’s Attorney; providing for certain de novo hearings in certain release cases where the underlying crime is a certain crime of violence; authorizing a court considering a certain release to continue its hearing to take additional evidence; altering the determination that a court is required to make with regard to certain evidence in considering whether to order continued commitment, conditional release, or discharge from commitment; requiring the

Office to schedule a hearing on an application for release and provide a certain notice; repealing the authority of a committed person to request a trial by jury in certain circumstances; requiring a court to hold, and provide a certain notice of, a hearing on certain applications related to release of a certain committed person, under certain circumstances; making certain conforming changes; and generally relating to the release of persons committed to the Department of Health and Mental Hygiene as not criminally responsible.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 3–114 through 3–120 and 3–122  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 557 – Senator Stone**

AN ACT concerning

#### **Medical Records – Disclosure in Response to Compulsory Process – Requirements**

FOR the purpose of requiring a person who discloses a medical record in response to compulsory process to make a certain certification within a certain time period to the judicial officer who issued the compulsory process; requiring the person, under certain circumstances, to include certain information in the certification; requiring, except under certain circumstances, the person to mail a copy of the certification to certain persons; requiring a judicial officer, under certain circumstances, to issue an order prohibiting the person from mailing a copy of the certification to a certain person; altering the circumstances under which a health care provider is required to disclose a medical record without the authorization of a person in interest; altering a certain notice that must be sent to certain parties in order to require a health care provider to disclose a medical record under certain circumstances; defining a certain term; making a technical change; and generally relating to the disclosure of medical records in response to compulsory process.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 9–125  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 4–301(l) and 4–306(a) and (b)(6)(i)1.B.

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 4-306(b)(6)(iii)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 558 – Howard County Senators**

AN ACT concerning

**Creation of a State Debt – Howard County – Domestic Violence Center**

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

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

**Senate Bill 559 – Howard County Senators**

AN ACT concerning

**Creation of a State Debt – Howard County – Historic Belmont Property Restoration**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 560 – Howard County Senators**

AN ACT concerning

**Creation of a State Debt – Howard County – The Arc’s Homewood Road  
Renovation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of The Arc of Howard County, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 561 – Howard County Senators**

AN ACT concerning

**Creation of a State Debt – Howard County – Blandair Regional Park**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 562 – Howard County Senators**

AN ACT concerning

**Creation of a State Debt – Howard County – Middle Patuxent Environmental  
Area**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the County Executive and County Council of Howard County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 563 – Senator Simonaire**

AN ACT concerning

**Environment – Permit Applications – Notice – Neighboring Jurisdictions**

FOR the purpose of requiring the Department of the Environment, on receipt of a certain permit application, to give notice immediately or require the applicant to give notice immediately of the application by certified mail to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; requiring an applicant for a certain incinerator or landfill system to give notice by certified mail of the application, informational meeting, and hearings to the governing bodies of certain counties and municipal corporations and to certain members of the General Assembly; and generally relating to notice requirements for environmental permit applications.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 1–602  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 2–404 and 9–209  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 564 – Senator Brinkley**

AN ACT concerning

**Frederick County – Forest Conservation Act – Application to Public School Property**

FOR the purpose of establishing that the State Forest Conservation Act does not apply to activity on land owned or leased for use by the Frederick County public school system if the Frederick County Board of Education makes a certain written determination; and generally relating to the application of the State Forest Conservation Act to activity on land owned or leased for use by the Frederick County public school system.

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 5–1602(a) and 5–1603(a)(1)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 5–1602(b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 565 – Senator Brinkley**

AN ACT concerning

**Corporate Income Tax – Federal Repatriation Holiday**

FOR the purpose of providing a subtraction modification under the Maryland corporate income tax for certain dividends included in federal taxable income as a result of a certain repatriation holiday enacted by certain federal legislation; requiring the Comptroller to provide for the administration of this Act if certain federal legislation is enacted; stating the intent of the General Assembly; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain dividends.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–307(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Tax – General  
Section 10–307(e)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 566 – Senator Brinkley**

AN ACT concerning

**Motor Vehicle Registration – Exception for All-Terrain and Utility-Terrain Vehicles**

FOR the purpose of authorizing, under certain circumstances, the operation of certain all-terrain and utility-terrain vehicles on highways without the vehicle being registered under the Maryland Vehicle Law; requiring a person operating an unregistered all-terrain or utility-terrain vehicle on a highway to maintain certain evidence of liability insurance in the vehicle; prohibiting a person from operating an unregistered all-terrain or utility-terrain vehicle on a highway for which the posted maximum speed limit exceeds a certain limit; and generally relating to the operation of unregistered all-terrain and utility-terrain vehicles on highways in the State.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 13-402(a) and (b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Transportation  
Section 13-402(h-1)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 567 – Senator Zirkin**

AN ACT concerning

**Criminal Law – Identity Fraud – Prohibitions**

FOR the purpose of prohibiting a person from disclosing or helping another person to disclose an individual's personal identifying information without the individual's consent under certain circumstances; prohibiting a person from possessing, obtaining, disclosing, or helping another person to possess, obtain, or disclose certain information under certain circumstances; providing penalties for disclosing an individual's personal identifying information without the individual's consent; and generally relating to identity fraud.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 8-301(b) and (g)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 568 – Senator Zirkin**

AN ACT concerning

**Maryland Automobile Insurance Fund – Uninsured Motorist Benefits –  
Procedural Requirements for Filing Claims**

FOR the purpose of prohibiting the Executive Director of the Maryland Automobile Insurance Fund from adopting by regulation a procedural requirement that denies uninsured motorist benefits to a claimant who is an individual under a certain age solely because a family member with whom the claimant lives on a regular basis owns an uninsured motor vehicle registered in the State; making a conforming change; and generally relating to claims for uninsured motorist benefits.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 20–604(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 569 – Senator Kasemeyer**

AN ACT concerning

**Capital Budget – Local Initiatives – Matching Funds**

FOR the purpose of authorizing, for a project or program for which an enabling act authorizes State debt and requires a certain matching fund, the inclusion of the value of certain salaries and wages in the value of the matching fund; and generally relating to certain match requirements for certain projects or programs.

BY adding to

Article – State Finance and Procurement

Section 8–128.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 570 – Senators Shank, Brochin, and Getty**



AN ACT concerning

**Professional Licensing and Certification Governing Bodies – Child Abuse  
Mandated Reporter Training and Discipline**

FOR the purpose of requiring certain governing bodies that issue licenses or certificates to certain individuals required to report child abuse or neglect to adopt certain regulations requiring each licensee or certificate holder to complete training in the recognition of child abuse and child sex abuse as a condition of licensure or certification; requiring the investigation of certain individuals and providing for certain discipline under certain circumstances; authorizing certain disciplinary actions to be included in certain regulations; providing that certain administrative disciplinary actions may not be construed to limit the taking of other disciplinary actions authorized by law; and generally relating to child abuse mandated reporter training as a licensing requirement by a professional licensing or certification governing body.

BY adding to

Article – Family Law  
Section 5–704.2  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to

Article – Health Occupations  
Section 1–220  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 571 – Senators Shank and Getty**

AN ACT concerning

**Criminal Procedure – Certificate of Rehabilitation**

FOR the purpose of establishing the policy of the State to encourage the employment and reintegration into society of certain ex–offenders; authorizing the Maryland Parole Commission to issue a certain certificate of rehabilitation to a certain eligible offender who meets certain requirements; providing that a certificate of rehabilitation establishes that a certain eligible offender has been rehabilitated from certain criminal involvement; requiring the Commission to consider certain factors before issuing a certificate of rehabilitation; authorizing the Commission to conduct an investigation of an eligible offender to determine

whether to issue a certificate of rehabilitation to the eligible offender; authorizing the Commission to revoke a certificate of rehabilitation under certain circumstances; providing that, in granting or revoking a certificate of rehabilitation, the action of the Commission shall be by majority vote of the members authorized to grant or revoke parole; prohibiting a person from knowingly using or attempting to use a revoked certificate of rehabilitation; defining a certain term; and generally relating to certificates of rehabilitation.

BY adding to

Article – Correctional Services

Section 7–209

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 572 – Senators Ferguson and Madaleno**

AN ACT concerning

**Maryland Early Learning Challenge and School Readiness Act  
(Race to the Tots)**

FOR the purpose of establishing the Early Learning Challenge and School Readiness Grant Program in the State Department of Education; providing for the purpose and priorities of the Program; establishing the Early Learning Challenge and School Readiness Grant Program Fund as a special fund to be used for certain purposes; requiring the Division of Early Childhood Development in the Department to administer the Fund; providing for the composition of the Fund; providing that money in the Fund may not take the place of certain other funding; requiring the Governor to include a certain appropriation in the State budget in certain fiscal years; requiring the Department to submit a certain report to the General Assembly on or before a certain date each year; requiring a certain report to include certain information; authorizing the Department to accept money from certain sources to award grants under the Program; requiring the Division to solicit certain grant proposals from certain local early childhood advisory councils; providing for the requirements of certain grant proposals; requiring the Division to approve certain grant proposals that meet certain priorities; requiring the Division to give priority to certain proposals; requiring the Department to adopt certain regulations to implement the Program and to submit a certain report to the Governor and the General Assembly each year; defining certain terms; and generally relating to the Maryland Early Learning Challenge and School Readiness Grant Program.

BY adding to

Article – Education

Section 5–218

Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–30  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 573 – Senators Robey, Kasemeyer, Kittleman, and Mathias**

AN ACT concerning

**County Property Tax – Personal Property Rate**

FOR the purpose of authorizing the Mayor and City Council of Baltimore City or the governing body of a county to set a tax rate for personal property and certain operating real property of less than a certain amount; repealing an obsolete provision; providing for the application of this Act; and generally relating to setting the county tax rate for personal property and certain operating real property.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 6–302(b)(1)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 574 – Senators Robey, DeGrange, Brinkley, Colburn, Currie, Edwards, Kasemeyer, Kelley, Madaleno, Manno, and Peters**

AN ACT concerning

**Motor Fuel Tax – Exemption – Use in City– or County–Owned Vehicles**

FOR the purpose of exempting certain motor fuel purchased by the Mayor and City Council of Baltimore City or the governing body of a county for a certain purpose from the State motor fuel tax; and generally relating to exemptions from the State motor fuel tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General

Section 9–303  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 575 – Senators Simonaire, Benson, Dyson, Ferguson, Jennings, Montgomery, Reilly, and Young**

AN ACT concerning

**Environment – Maryland Clean Water Fund – Uses**

FOR the purpose of requiring the Department of the Environment to use certain penalties or fines that are paid into the Maryland Clean Water Fund to restore or improve certain areas associated with the penalty or fine; making certain technical changes; and generally relating to uses of the Maryland Clean Water Fund.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 9–320  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 576 – Senators Raskin, Frosh, King, Madaleno, Manno, Montgomery, Pinsky, Ramirez, Robey, and Rosapepe**

AN ACT concerning

**Community Cleanup and Greening Act of 2013**

FOR the purpose of requiring a store to charge and collect a certain fee for each disposable carryout bag the store provides to a customer; authorizing a store to retain a certain amount of a certain fee under certain circumstances; prohibiting a store from advertising or stating certain information under certain circumstances; requiring a store to include certain information on certain receipts; providing that the sales and use tax does not apply to a certain amount of money retained by a store under certain circumstances; requiring the operator of a store to remit a certain amount of money to the Comptroller; requiring the Comptroller to retain a certain amount of money for a certain purpose; requiring the Comptroller to distribute certain amounts of money to the Department of Labor, Licensing, and Regulation, the Chesapeake Bay Trust, and certain counties under certain circumstances; requiring the

Chesapeake Bay Trust and certain counties to report certain information to the Comptroller on an annual basis and in a certain manner; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations in accordance with certain requirements; establishing certain maximum penalties for certain violations; altering the list of allowable grants that may be made by the Chesapeake Bay Trust; requiring the Comptroller to distribute a certain amount of money to the Department of Human Resources on or before a certain date for a certain purpose; requiring the Department of Human Resources to conduct a certain public outreach campaign in accordance with certain requirements; providing for the application of certain provisions of this Act; providing for a delayed effective date; defining certain terms; and generally relating to carryout bags, community greening efforts, and the restoration of the watersheds of the State, including the Chesapeake and Atlantic Coastal Bays.

BY adding to

Article – Business Regulation

Section 19–104

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 1–704

Annotated Code of Maryland

(2012 Replacement Volume)

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

### **Senate Bill 577 – Senators Raskin and Ferguson**

AN ACT concerning

#### **Public Safety – Firearms – Liability Insurance Requirement**

FOR the purpose of requiring a person who possesses a firearm to maintain certain liability insurance; requiring a person who sells, rents, or transfers a firearm to verify that the purchaser, lessee, or transferee has certain liability insurance; establishing certain penalties for a violation of this Act; requiring a person who possesses a firearm before the effective date of this Act to comply with the requirements of this Act on or before a certain date; defining certain terms; and generally relating to liability insurance requirements for firearms.

BY adding to

Article – Public Safety

Section 5–601 and 5–602 to be under the new subtitle “Subtitle 6. Firearm Liability Insurance”

Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 578 – Senator Raskin**

AN ACT concerning

#### **Corporations and Real Estate Investment Trusts – Miscellaneous Provisions**

FOR the purpose of providing that a Maryland corporation or a real estate investment trust has the power to renounce certain business opportunities in certain documents or by certain resolutions; repealing certain provisions of law prohibiting the declaration or payment of a dividend payable in shares of one class of a corporation's stock to holders of shares of another class of the corporation's stock unless approved in a certain manner; altering the circumstances under which a corporation registered as an open-end company may redeem shares of its stock from any stockholder; requiring each nominee for director of a corporation to have the qualifications required by the charter or bylaws of the corporation; providing that a director of a corporation holds office until the time the director ceases to have certain qualifications under certain circumstances; specifying how the directors who hold over and continue to serve as directors must be determined under certain circumstances; clarifying the circumstances under which certain actions may be taken without a meeting of the board of directors or a committee of the board; clarifying that certain references to a majority or other proportion of directors refer to a majority or other proportion of votes entitled to be cast by the directors; establishing a certain limitation on a board's sole power to take certain actions relating to special meetings of stockholders; repealing a certain provision of law that requires the board of directors to provide a place for a meeting of the stockholders under certain circumstances; providing that a certain interest with which a proxy may be coupled includes an interest as a party to a certain voting agreement; authorizing two or more stockholders to enter into a written agreement requiring voting rights to be exercised in a certain manner under certain circumstances; authorizing a certain written agreement to be specifically enforced; altering the circumstances under which the approval of the stockholders and articles of transfer or share exchange are not required; altering the circumstances under which certain mergers need be approved by a Maryland successor corporation or real estate investment trust only by a majority of its entire board of directors or trustees; altering the information that must be included in articles of consolidation, merger, share exchange, or transfer under certain circumstances; providing that certain information included in articles of consolidation, merger, share exchange, or transfer may be made dependent on facts ascertainable outside of the articles; repealing certain provisions of law requiring the president or a director of a certain corporation the charter of which has been revived to call a meeting of the stockholders for a

certain purpose; providing that a real estate investment trust is a separate legal entity; providing that a real estate investment trust is formed by filing a declaration of trust for record with the State Department of Assessments and Taxation; defining a certain term; making certain conforming and stylistic changes; and generally relating to corporations and real estate investment trusts laws.

BY repealing and reenacting, with amendments,

Article – Corporations and Associations

Section 2–103, 2–309(c), 2–310.1, 2–403(a), 2–404(b), 2–405, 2–408(c) and (d),  
2–502(e), 2–503(b), 2–507(d), 2–510, 3–104(a), 3–105(a), 3–109, 8–102,  
8–201, 8–301, and 8–501.1(c)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY repealing

Article – Corporations and Associations

Section 3–511

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 579 – Senator Raskin**

AN ACT concerning

#### **Child Support – Adjusted Actual Income – Multifamily Adjustment**

FOR the purpose of altering the definition of “adjusted actual income” under the State child support guidelines; providing for the calculation of a certain allowance required to be deducted from adjusted actual income under the child support guidelines; requiring that the amount of a certain allowance be subtracted from a parent’s actual income before the court determines the amount of a child support award; repealing a factor the court may consider in determining whether the application of the child support guidelines would be unjust or inappropriate in a particular case; and generally relating to child support.

BY repealing and reenacting, without amendments,

Article – Family Law

Section 12–201(a) and (b)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 12–201(c), 12–202(a), and 12–204(a)

Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 580 – Senator Raskin**

AN ACT concerning

**Medical Marijuana – Caregiver – Affirmative Defense**

FOR the purpose of establishing that it is an affirmative defense to a prosecution for the possession of marijuana or the possession of certain drug paraphernalia that the marijuana or drug paraphernalia was intended for medical use by an individual with a certain debilitating medical condition for whom the defendant is a certain caregiver; prohibiting a certain defendant from asserting a certain affirmative defense unless, at least a certain number of days before trial, the defendant notifies the State's Attorney of the defendant's intention to assert the affirmative defense and provides the State's Attorney with certain documentation; prohibiting a certain affirmative defense from being used under certain circumstances; defining a certain term; and generally relating to the medical use of marijuana.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 5–601(c)(3) and 5–619(c)(4)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 581 – Senators Kelley, Benson, Brinkley, Forehand, Klausmeier, Madaleno, Middleton, Montgomery, Pinsky, and Pugh**

AN ACT concerning

**Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Consumer Bill of Rights**

FOR the purpose of requiring certain carriers that offer a certain health insurance policy or contract to provide, in the mental health and substance use disorder benefits sections of the health insurance policy or contract documents, certain notices and other information relating to the federal Mental Health Parity and Addiction Equity Act; requiring a carrier to provide certain policy or contract information or documents to a member within a certain period of time; requiring a carrier to post on its Web site and provide by certain means within a certain period of time a release of information authorization form; defining



certain terms; making the provisions of this Act applicable to health maintenance organizations; and generally relating to information in health insurance documents relating to compliance with the federal Mental Health Parity and Addiction Equity Act.

BY adding to

Article – Health – General  
Section 19–706(oooo)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Insurance  
Section 15–128  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 582 – Senators Kelley, Benson, Brinkley, Forehand, Klausmeier, Madaleno, Middleton, Montgomery, Pinsky, and Pugh**

AN ACT concerning

**Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Utilization Review Criteria and Standards**

FOR the purpose of requiring the information that a private review agent submits to the Maryland Insurance Commissioner in conjunction with a certain application to include certification by the private review agent that the criteria and standards to be used in conducting utilization review are, for review of mental health and substance use disorder benefits, in compliance with the federal Mental Health Parity and Addiction Equity Act; prohibiting a private review agent from using criteria and standards to conduct utilization review unless the criteria and standards used by the private review agent are, for review of mental health and substance use disorder benefits, in compliance with the federal Mental Health Parity and Addiction Equity Act; making a stylistic change; and generally relating to utilization review criteria and standards used by private review agents for review of mental health and substance use disorder benefits under health insurance and compliance with the federal Mental Health Parity and Addiction Equity Act.

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 15–10B–05(a)(11) and 15–10B–11(8)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Insurance  
Section 15–10B–11(9)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 583 – Senators Pinsky, Brochin, Colburn, Ferguson, Kittleman,  
Madaleno, Montgomery, Ramirez, Raskin, and Rosapepe**

AN ACT concerning

**Election Law – Public Campaign Financing of Local Elections**

FOR the purpose of authorizing the governing body of a county to enact laws to regulate public campaign finance activity for certain county elective offices and certain candidates for election to those offices; specifying certain provisions, requirements, and limitations applicable to any county laws enacted to regulate public campaign finance activity; and generally relating to public campaign financing of local elections.

BY adding to  
Article – Election Law  
Section 13–505  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 584 – Senators Pinsky, Colburn, Ferguson, Frosh, Kittleman,  
Madaleno, Montgomery, Ramirez, Raskin, and Rosapepe**

AN ACT concerning

**Public Funding and Small Donor Act for General Assembly Elections**

FOR the purpose of repealing the Public Financing Act for gubernatorial candidates; altering certain limits on certain contributions and transfers; providing that contributions shall be considered as being made by one contributor if the contributions are by a sole proprietor, regardless of the number of sole proprietorships owned by that individual; authorizing the governing body of a county to enact laws to regulate public campaign finance activity for certain county elective offices and certain candidates for election to those offices; specifying certain provisions and limitations applicable to any county laws

enacted to regulate public campaign finance activity; establishing a system of public financing of campaigns for certain General Assembly candidates; requiring the State Board of Elections to administer the system of public financing for General Assembly candidates; specifying certain powers and duties of the State Board; creating the Public Election Fund and providing for the inclusion of certain money in the Fund; transferring the money in the Fair Campaign Financing Fund for gubernatorial candidates to the Public Election Fund; defining certain terms; specifying certain procedures, requirements, and conditions participating candidates must meet to receive a distribution from the Public Election Fund; requiring that participating candidates adhere to certain campaign expenditure limits; authorizing participating candidates to raise certain supplemental private contributions under certain circumstances; requiring the Comptroller to perform certain duties in connection with the establishment, maintenance, and administration of the Public Election Fund; prohibiting a participating candidate from being a member of a slate; prohibiting a participating candidate from accepting a contribution from a political party; requiring a participating candidate who opts out of public financing to repay the full amount of the public contribution received by the candidate and pay a certain penalty; providing for judicial review of certain actions by the State Board, subject to a certain exception; providing for certain penalties; providing that certain captions are not law and may not be considered to have been enacted as part of this Act; requiring the State Board to adopt certain regulations; making provisions of this Act severable; creating a Commission to Study Public Financing of Elections in Maryland; providing for the membership, duties, and staffing of the Commission; requiring the Commission to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; requiring the State Board to provide certain reports to certain persons on or before certain dates on certain matters; providing for a delayed effective date for certain provisions of this Act; providing for the termination of certain provisions of this Act; and generally relating to the Public Funding and Small Donor Act for General Assembly Elections.

BY repealing

Article – Election Law

Section 15–101 through 15–111 and the title “Title 15. Public Financing Act”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 13–226, 13–227, and 13–235

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 13–505; and 15–101 through 15–118 to be under the new title “Title 15. Public Funding and Small Donor Act for General Assembly Elections”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 585 – Senators Middleton, Astle, Benson, Brinkley, Forehand, Kasemeyer, Kelley, Klausmeier, Madaleno, Montgomery, Pinsky, and Pugh**

AN ACT concerning

**Health Insurance – Federal and State Mental Health and Addiction Parity Laws – Report on Compliance**

FOR the purpose of requiring health maintenance organizations and carriers that offer certain contracts, certificates, and policies to submit to the Maryland Insurance Commissioner a report certifying and outlining how each contract, certificate, and policy complies with the Mental Health Parity and Addiction Equity Act and certain State mental health and addiction parity laws; requiring the report to be submitted with a certain filing at certain times by a certain person and to include certain information; providing that the report is a public record; defining certain terms; and generally relating to reporting on compliance with federal and State mental health and addiction parity laws under health insurance.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–703.1(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Health – General  
Section 19–703.1(f)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–802(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Insurance  
Section 15–802(h)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 586 – Senators Middleton and Dyson**

AN ACT concerning

**Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region**

FOR the purpose of establishing the Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Secretary of Agriculture and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region.

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

**Senate Bill 587 – Senators Garagiola, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Getty, Gladden, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Miller, Montgomery, Muse, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin**

AN ACT concerning

**Higher Education – Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship**

FOR the purpose of establishing the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship; establishing certain eligibility requirements for the scholarship; authorizing the use of the scholarship for certain educational expenses; authorizing the annual amount of the scholarship awarded to be up to a certain percentage of the equivalent tuition and certain fees of a certain institution of higher education; requiring the scholarship

recipient to maintain a certain grade point average; providing for the duration of the scholarship; requiring scholarship applicants and recipients to file for certain federal and State financial aid by a certain date; authorizing legislative scholarship funds to be used for certain purposes; providing that funds for the scholarship are as provided in a certain annual budget by the Governor; establishing a certain fund; requiring the Maryland Higher Education Commission to administer a certain fund; providing that the fund is a certain special, nonlapsing fund that is not subject to a certain section of the State Finance and Procurement Article; requiring the State Treasurer to hold the fund separately and requiring the Comptroller to account for the fund; directing the Commission to use certain gifts and grants for the fund in a certain manner; requiring the Commission to prepare a certain annual report regarding the fund; requiring a recipient of a certain scholarship to work for at least a certain number of years as a certain firefighter or certain rescue squad member in the State after completion of a certain program; requiring a certain amount of money to be distributed for the scholarship; repealing the distribution of a certain amount of money to a certain program; repealing the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program; prohibiting the Commission from accepting new applicants for a certain program after a certain date; requiring any funds remaining in the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program after a certain date to be transferred to a certain fund; requiring the Office of Student Financial Assistance to provide certain public notice of the establishment of the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship as a replacement for the Charles W. Riley Fire and Emergency Medical Services Tuition Reimbursement Program; defining certain terms; providing for the effective dates of this Act; and generally relating to the establishment of the Charles W. Riley Firefighter and Ambulance and Rescue Squad Member Scholarship.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 18–101 and 18–103  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Education  
Section 18–603.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–301(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing

Article – Education

Section 18–603

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 588 – Carroll County Senators**

AN ACT concerning

**Carroll County – Public Facilities Bonds**

FOR the purpose of authorizing and empowering the County Commissioners of Carroll County, from time to time, to borrow not more than \$40,000,000 in order to finance the construction, improvement, or development of certain public facilities in Carroll County, including water and sewer projects, to finance loans for fire or emergency–related equipment, buildings, and other facilities of volunteer fire departments in the County, and to effect such borrowing by the issuance and sale at public or private sale of its general obligation bonds in like par amount; empowering the County to fix and determine, by resolution, the form, tenor, interest rate or rates or method of determining the same, terms, conditions, maturities, and all other details incident to the issuance and sale of the bonds; empowering the County to issue refunding bonds for the purchase or redemption of bonds in advance of maturity; providing that such borrowing may be undertaken by the County in the form of installment purchase obligations executed and delivered by the County for the purpose of acquiring agricultural land and woodland preservation easements; empowering and directing the County to levy, impose, and collect, annually, ad valorem taxes in rate and amount sufficient to provide funds for the payment of the maturing principal of and interest on the bonds; exempting the bonds and refunding bonds and the interest thereon and any income derived therefrom from all State, County, municipal, and other taxation in the State of Maryland; providing that nothing in this Act shall prevent the County from authorizing the issuance and sale of bonds the interest on which is not excludable from gross income for federal income tax purposes; and relating generally to the issuance and sale of such bonds.

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

**Senate Bill 589 – Senators Pugh, Benson, Forehand, Kasemeyer, Montgomery, and Muse**

AN ACT concerning

**Commercial Law – Consumer Protection – Rental–Purchase Transactions**

FOR the purpose of requiring a lessor to disclose to a consumer in each rental–purchase agreement the cost of lease services of certain items of rental property; altering a certain form that must be used to satisfy certain disclosure requirements; establishing a certain form that must be used to satisfy certain disclosure requirements; requiring the Attorney General’s Web site to include certain forms; defining a certain term; and generally relating to rental–purchase transactions.

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 12–1101(a)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Commercial Law  
Section 12–1101(i)  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 12–1103, 12–1104, 12–1111, and 12–1111.1  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

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

**Senate Bill 590 – Senators Forehand, Madaleno, Montgomery, Muse, and Pinsky**

AN ACT concerning

**Public Safety – SWAT Team Reports – Repeal of Sunset**

FOR the purpose of including certain additional information on a certain report required of a law enforcement agency that maintains a SWAT team; repealing a certain termination provision; and generally relating to SWAT teams.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–507(b)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)



BY repealing and reenacting, with amendments,  
Chapters 542 and 543 of the Acts of the General Assembly of 2009  
Section 2

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

**Senate Bill 591 – Senator Pugh (Commission on Maryland Cybersecurity  
Innovation and Excellence) and Senators Forehand and Montgomery**

AN ACT concerning

**Governmental Procedures – Protection of Personal Information**

FOR the purpose of requiring a certain unit, when destroying a resident's records that contain certain personal information of the resident, to take certain steps to protect against the unauthorized access to or use of the personal information under certain circumstances; requiring certain units that collect certain personal information of a resident to implement and maintain certain security procedures and practices under certain circumstances; requiring certain units that collect or maintain computerized data that include certain personal information of a resident to conduct a certain investigation under certain circumstances and notify certain persons of a breach of the security of a system under certain circumstances; specifying the time at which notification must be given; specifying the contents of the notification; authorizing notification to be given in a certain manner; requiring certain units to retain certain records for a certain period of time under certain circumstances; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that compliance with certain provisions of this Act does not relieve a certain unit from a duty to comply with certain other requirements of federal law; providing that the provisions of this Act are exclusive and shall preempt any provision of local law; requiring a unit to report to certain consumer reporting agencies on the breach of the security of a system under certain circumstances; requiring a unit to provide notice of a breach of the security of a system to the Office of Attorney General and the Department of Information Technology under certain circumstances; establishing a private right of action for a resident affected by a violation of this Act; requiring the Department of Information Technology, in consultation with the Office of the Attorney General and the Department of Budget and Management, to adopt certain rules and regulations; defining certain terms; providing for the application of this Act; and generally relating to the protection of information collected by units or included in computerized data that is collected and maintained by units.

BY adding to  
Article – State Government

Section 10–1301 through 10–1309 to be under the new subtitle “Subtitle 13.  
Protection of Personal Information by Government Agencies”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

### LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

#### **Senate Bill 8 – Senators Astle and Middleton**

AN ACT concerning

#### **Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE  
AMENDMENTS (3) AND THE FAVORABLE REPORT.

**SB0008/867177/1**

BY: Finance Committee

#### AMENDMENTS TO SENATE BILL 8

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in line 16, strike “a” and substitute “an approved”.

#### AMENDMENT NO. 2

On page 3, in line 24, strike “AND”; and in line 26, after “PLAN” insert “;AND”

(IV) ANY OTHER INFORMATION THE COMMISSION  
CONSIDERS NECESSARY TO EVALUATE THE PLAN”.

On page 4, in lines 1 and 4, in each instance, after “PROJECT” insert “, BASED  
ON NEW ASSETS LESS RETIRED PLANT”; in lines 18 and 19, strike “ON EACH  
RESIDENTIAL CUSTOMER ACCOUNT”; in line 24, after “ACCOUNT” insert “, BUT”

SHALL BE CAPPED UNDER ITEM (II) OF THIS PARAGRAPH"; and in line 25, after "(II)" insert "TO CREATE A SURCHARGE CAP FOR ALL CUSTOMER CLASSES.".

AMENDMENT NO. 3

On page 5, in line 12, strike "A" and substitute "AN APPROVED"; in line 20, after "(4)" insert "(I)"; and after line 22, insert:

"(II) COSTS RECOVERED UNDER THE SCHEDULE APPROVED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY RELATE ONLY TO THE PROJECTS WITHIN THE PLAN APPROVED BY THE COMMISSION."

On page 6, in line 4, strike "UNJUSTIFIED" and substitute "NOT REASONABLE OR PRUDENT"; in lines 19 and 23, in each instance, strike "A PROJECT IN"; strike beginning with "AN" in line 29 down through "PLAN" in line 30 and substitute "A RECONCILIATION"; strike beginning with "ESTIMATED" in line 31 down through "IN" in line 32 and substitute "ACTUAL COST OF"; and in line 32, after the first "THE" insert "ACTUAL".

The preceding 3 amendments were read and adopted.

Senator Brochin moved, duly seconded, to make the Bill and Report a Special Order for February 5, 2013.

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

Affirmative – 21    Negative – 22    (See Roll Call No. 119)

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 31    Negative – 12    (See Roll Call No. 120)

Senator Middleton moved, duly seconded, to make the Bill a Special Order for February 5, 2013.

The motion was adopted.

**THE COMMITTEE ON RULES REPORT #1**

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

**Senate Bill 283 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Curative Bill**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Klausmeier, Chair, for the Committee on Rules reported favorably:

**Senate Bill 284 – The President (By Request – Department of Legislative Services)**

**EMERGENCY BILL**

AN ACT concerning

**Annual Corrective Bill**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #1**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #1  
January 31, 2013

**District Court, Allegany County (District 12)**

1. Edward A. Malloy, Jr. District 1

Judge of the District Court of Maryland, District 12, Allegany County; reappointed to serve a term of ten years from December 17, 2012

**District Court, Anne Arundel County (District 7)**

2. John P. McKenna, Jr. District 33

Judge of the District Court of Maryland, District 7, Anne Arundel County; appointed to serve a term of ten years from December 5, 2012

**District Court, Baltimore City (District 1)**

3. Rachel Elizabeth Cogen, Esq. District 41

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from May 9, 2012

4. Melissa Kaye Copeland, Esq. District 41

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from May 4, 2012

5. Jennifer Etheridge, Esq. District 46

Judge of the District Court of Maryland, District 1, Baltimore City; appointed to serve a term of ten years from May 1, 2012

6. Halee F. Weinstein District 43

Judge of the District Court of Maryland, District 1, Baltimore City; reappointed to serve a term of ten years from August 5, 2012

**District Court, Baltimore County (District 8)**

7. Michael T. Pate, Esq. District 11

Judge of the District Court of Maryland, District 8, Baltimore County; appointed to serve a term of ten years from January 29, 2013

8. Kimberly M. Thomas, Esq. District 10

Judge of the District Court of Maryland, District 8, Baltimore County; appointed to serve a term of ten years from January 23, 2013

**District Court, Carroll County (District 10)**

9. Brian Green, Esq. District 9

Judge of the District Court of Maryland, District 10, Carroll County; appointed to serve a term of ten years from February 8, 2013

**District Court, Howard County (District 10)**

10. Sue–Ellen Hantman District 12

Judge of the District Court of Maryland, District 10, Howard County; reappointed to serve a term of ten years from January 2, 2013

**District Court, Montgomery County (District 6)**

11. Jeannie Eun Kyung Cho District 19

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years from August 24, 2012

12. John C. Moffett, Esq. District 15

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years from September 6, 2012

13. Karla N. Smith, Esq. District 16

Judge of the District Court of Maryland, District 6, Montgomery County; appointed to serve a term of ten years from August 30, 2012

**District Court, Prince George’s County (District 5)**

14. Robin D. Bright, Esq. District 23

Judge of the District Court of Maryland, District 5, Prince George’s County; appointed to serve a term of ten years from May 10, 2012

15. Karen H. Mason, Esq. District 23  
Judge of the District Court of Maryland, District 5, Prince George's County; appointed to serve a term of ten years from April 30, 2012
16. Erik H. Nyce, Esq. District 23  
Judge of the District Court of Maryland, District 5, Prince George's County; appointed to serve a term of ten years from June 7, 2012
17. Joseph L. Wright, Esq. District 23  
Judge of the District Court of Maryland, District 5, Prince George's County; appointed to serve a term of ten years from May 8, 2012

**District Court, Wicomico County (District 2)**

18. John Phillip Rue, II District 38  
Judge of the District Court of Maryland, District 2, Wicomico County; appointed to serve a term of ten years from August 6, 2012

**Special Appeals, Court of**

19. Douglas R. M. Nazarian District 12  
Judge of the Court of Special Appeals of Maryland; appointed to serve a term of ten years from January 8, 2013

**Higher Education Commission, Maryland**

20. Danette Gerald Howard, Ph.D. District 32  
1015 Ironwood Lane  
Hanover, MD 21076  
Secretary of Maryland Higher Education Commission; appointed to serve at the pleasure of the Governor

**African American History and Culture, Commission on**

21. Denise A. Barnes District 28  
13830 Barnes–Chapman Place  
Waldorf, MD 20601  
Member of the Commission on African American History and Culture; appointed to serve a term to expire June 30, 2015

22. William A. Coates District 28  
3799 Lucille Thornton Place  
Indian Head, MD 20640
- Member of the Commission on African American History and Culture;  
appointed to serve a term to expire June 30, 2013
23. Sharon E. Parker District 27  
6104 Wigan Court  
Clinton, MD 20735
- Member of the Commission on African American History and Culture;  
appointed to serve a term to expire June 30, 2014

#### **Airport Zoning Appeals Board**

24. Darryl Barnes District 25  
1707 Cinnamon Teal Way  
Upper Marlboro, MD 20774
- Member of the Airport Zoning Appeals Board; appointed to serve remainder of a  
term of four years from July 1, 2011

#### **Architects, State Board of**

25. Diane Cho District 11  
1926 Club Road  
Stevenson, MD 21153
- Member of the State Board of Architects; reappointed to serve a term of five  
years from July 1, 2012

#### **Automobile Insurance Fund, Board of Trustees of the Maryland**

26. Enor R. Williams, Jr. District 27  
9406 Pine View Lane  
Clinton, MD 20735
- Member of the Board of Trustees of the Maryland Automobile Insurance Fund;  
appointed to serve at the pleasure of the Governor



**Boiler Rules, Board of**

27. John Dunnock District 99  
20 Baugher Drive  
Hanover, PA 17331

Member of the Board of Boiler Rules; appointed to serve a term of four years from January 1, 2009 and a term of four years from January 1, 2013

**Canal Place Preservation and Development Authority**

28. Janice S. Keene District 1  
101 Braddock Heights  
Frostburg, MD 21532–2345

Member of the Canal Place Preservation and Development Authority; appointed to serve a term of four years from June 1, 2012

29. J. Robert Smith District 1  
11708 Bayberry Avenue  
Cumberland, MD 21502

Member of the Canal Place Preservation and Development Authority; appointed to serve remainder of a term of four years from June 1, 2011

**Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors**

30. Aden A. King District 30  
605 Burnside Street  
Annapolis, MD 21403

Member of the Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors; appointed to serve a term of four years from July 1, 2011

31. Rantz W. Purcell District 38  
10010 Arden Station Road  
Princess Anne, MD 21853

Member of the Maryland Agricultural and Resource–Based Industry Development Corporation (MARBIDCO) Board of Directors; appointed to serve a term of four years from July 1, 2010

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Airport Zoning Appeals Board**

- S–1. Manuel R. Geraldo, Esq. District 26  
802 Swan Creek Road  
Fort Washington, MD 20744

Member of the Airport Zoning Appeals Board; reappointed to serve a term of four years from July 1, 2012

- S–2. Jeffrey H. Utzinger District 12  
1262 Vogt Avenue  
Baltimore, MD 21227

Member of the Airport Zoning Appeals Board; reappointed to serve a term of four years from July 1, 2012

**Blind Industries and Services of Maryland, Board of Trustees of**

- S–3. Peter L. Gehlbach, M.D., Ph.D. District 5  
13 Chesterfield Court  
Monkton, MD 21111

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2012

- S–4. William E. Hadlock, Ed.D. District 9  
3454 Arcadia Drive  
Ellicott City, MD 21042

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2012

- S–5. Carolyn Hess Johnson District 35  
2700 Mercer Drive  
Baldwin, MD 21013

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2011

S-6. Gerald L. Moschel District 32  
1707 Saunders Way  
Glen Burnie, MD 21061

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2011

S-7. Martha E. Seabrooks District 43  
1016 East Lake Avenue  
Baltimore, MD 21212

Member of the Board of Trustees of Blind Industries and Services of Maryland; reappointed to serve a term of three years from July 1, 2011

### **Boiler Rules, Board of**

S-8. Kevin J. Mulvey District 31  
8236 Silver Run Court  
Pasadena, MD 21122

Member of the Board of Boiler Rules; reappointed to serve a term of four years from January 1, 2013

### **Chesapeake and Atlantic Coastal Bays, Critical Area Commission for the**

S-9. Virginia P. Clagett District 30  
1387 Cumberstone Road, Box 1  
West River, MD 20778

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2012

S-10. Donald E. Sutton District 36  
P.O. Box 157, 8 Wheeler Avenue  
Betterton, MD 21610

Member of the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays; reappointed to serve a term of four years from July 1, 2012

**STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?**

The President of the Senate put the following question (with the exception of nominees #16 and #17) "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive, with the exception of nominees #16 and #17, were all confirmed by roll call vote as follows:

Affirmative – 43    Negative – 0    (See Roll Call No. 121)

The President of the Senate put the following question: “Will the Senate advise and consent to Nominee #16 Erik H. Nyce, Esq., of the Executive?”

The above nomination of the Executive was confirmed by roll call vote as follows:

Affirmative – 43    Negative – 0    (See Roll Call No. 122)

The President of the Senate put the following question: “Will the Senate advise and consent to Nominee #17 Joseph L. Wright, Esq., of the Executive?”

Senator Ramirez moved, duly seconded, to Special Order Nominee #17 until February 15, 2013.

The motion was adopted.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 43 Members present.

(See Roll Call No. 123)

### **RECESS**

At 12:35 P.M. on motion of Senator Garagiola, seconded, the Senate recessed until 8:00 P.M. on Monday, February 4, 2013.

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**AFTER RECESS**  
**Annapolis, Maryland**  
**Legislative Day: February 1, 2013**  
**Calendar Day: Monday, February 4, 2013**

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At 8:10 P.M. the Senate resumed its session.

Prayer by Reverend Harold Wright II, Calvary United Methodist Church, guest of Senator Astle.

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

**QUORUM CALL**

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

(See Roll Call No. 125)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 256 – Senator Joanne C. Benson:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Sigma Gamma Rho Sorority, Inc.  
in recognition of  
demonstrating the principles of selfless dedication and community service and being a  
stellar example of  
academic excellence and visionary leadership.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 4th day of February 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 126)

**Senate Resolution No. 253 – Senator Ulysses Currie:**

Be it hereby known to all that  
 The Senate of Maryland  
 offers its sincerest congratulations to  
 University of Maryland Baltimore County Chess Team  
 in recognition of  
 finishing in a tie for 1st place at the 2012 Pan–American Intercollegiate Chess  
 Championship. Congratulations!  
 The entire membership extends best wishes on  
 this memorable occasion and directs this resolution  
 be presented on this 4th day of February 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 127)

**Senate Resolution No. 224 – Senator Rob Garagiola:**

Be it hereby known to all that  
 The Senate of Maryland  
 offers its sincerest congratulations to  
 Thomas S. Wootton High School Boys Varsity Soccer Team  
 in recognition of  
 winning the 4A Maryland Public Secondary Schools Athletic Association State  
 Championship on  
 November 16, 2012. We commend your hard  
 work and dedication. Congratulations!  
 The entire membership extends best wishes on  
 this memorable occasion and directs this resolution  
 be presented on this 4th day of February 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 128)

**INTRODUCTION OF BILLS**

**Senate Bill 592 – Senators Frosh, Benson, Forehand, King, Madaleno, Manno,  
 Montgomery, Pinsky, Raskin, Rosapepe, Stone, and Young**

AN ACT concerning

**Natural Resources – Shark Fins – Restriction on Possession or Distribution**

FOR the purpose of prohibiting a person from possessing, selling, offering for sale, trading, or distributing a shark fin; exempting a certain person, museum, college, or university from the prohibition against possessing a shark fin under certain circumstances; requiring the Department of Natural Resources to adopt

regulations to implement this Act; defining certain terms; and generally relating to a restriction on the possession or distribution of a shark fin.

BY adding to

Article – Natural Resources  
Section 4–747  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

### **Senate Bill 593 – Senator Montgomery**

AN ACT concerning

#### **Health Occupations Boards – License Renewal, Investigation of Alleged Violations, and Immunity from Liability**

FOR the purpose of authorizing certain health occupations boards within the Department of Health and Mental Hygiene to establish a certain electronic system for the purpose of distributing certain licenses, permits, certifications, or registrations; requiring the system to meet certain requirements; requiring certain boards to discontinue sending by first-class mail certain renewal notices and a renewed license, permit, certificate, or registration; requiring certain boards to send by electronic means certain renewal notices and a renewed license, permit, certification, or registration; requiring certain boards to continue to send by first-class mail an initial license, permit, certification, or registration; requiring certain health occupations boards to investigate certain violations of law; providing immunity from liability for certain persons who provide certain information to certain health occupations boards or participate in certain activities; authorizing certain health occupations boards to send a certain notice by electronic means or first-class mail; providing that certain individuals who act in good faith and within the scope of jurisdiction of certain boards are not civilly liable for providing certain information or for participating in certain activities; defining certain terms; altering certain definitions; making certain conforming and stylistic changes; and generally relating to the health occupations boards and license renewal, investigation of alleged violations, and immunity from liability.

BY adding to

Article – Health Occupations  
Section 1–220, 1A–207, 5–207, 17–207, and 20–208  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1A–205, 1A–306(b), 2–308(b), 3–308(b), 3–5A–10(b), 4–309, 4–505, 5–205, 5–308(b), 7–314(b), 9–311(b), 10–205, 10–311(b), 11–205, 11–308(b), 13–206, 16–307(b), 17–504(b), 19–205, and 20–310(b)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 1A–306(a), 2–308(a), 3–308(a), 3–5A–10(a), 5–308(a), 7–314(a), 9–311(a), 10–311(a), 11–308(a), 16–307(a), 17–504(a), and 20–310(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–702, 5–703, 5–706, 5–707, and 5–719

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY adding to

Article – Courts and Judicial Proceedings

Section 5–722 through 5–724

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 594 – Senator Montgomery**

AN ACT concerning

### **Creation of a State Debt – Montgomery County – Falling Green at OBGC Park Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$75,000, the proceeds to be used as a grant to the Board of Directors of the Olney Boys and Girls Community Sports Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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



**Senate Bill 595 – Senators Montgomery and Benson**

AN ACT concerning

**State Board of Pharmacy – Wholesale Distribution – Pharmacies**

FOR the purpose of limiting the authority of a pharmacy permit holder to engage in wholesale distribution; altering certain definitions; and generally relating to wholesale distribution and pharmacies.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–406 and 12–6C–01(i) and (v)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 596 – Senator Montgomery**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Laytonsville District Volunteer Fire Station**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of Laytonsville District Volunteer Fire Department, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 597 – Senators Montgomery, Forehand, and Manno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Olney Theatre Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of Olney Theatre Center for the Arts, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that

the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 598 – Senator Montgomery**

AN ACT concerning

**Creation of a State Debt – Montgomery County – West Fairland Local Park Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$330,000, the proceeds to be used as a grant to the Maryland–National Capital Park and Planning Commission for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 599 – Senator Conway**

AN ACT concerning

**Procurement – Subcontractor Equal Access to Bonding Act of 2013**

FOR the purpose of prohibiting a prime contractor from requiring certain bonding from a subcontractor on certain procurement contracts that is more stringent than certain bonding requirements for prime contractors on certain procurement contracts under a certain circumstance; requiring certain prime contractors and the State to be dual obligees on certain bonds under a certain circumstance; establishing certain underwriting requirements for certain bonds that are provided by subcontractors; requiring a subcontractor to provide certain evidence with a certain bond under certain circumstances; requiring a procurement officer to make a certain determination and to obtain advice from the Office of the Attorney General under certain circumstances; and generally relating to bonding requirements for subcontractors on procurement contracts with the State.

BY adding to

Article – State Finance and Procurement

Section 13–227

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 600 – Senator Garagiola**

AN ACT concerning

**Vehicle Laws – Electric Vehicles**

FOR the purpose of altering and harmonizing certain variations of the defined term “plug-in electric drive vehicle” as that term applies to planning by a utility for the availability and reliability of electric supply, excise tax credits, and exemptions allowing the use of high occupancy vehicle lanes regardless of the number of passengers; clarifying the application of the excise tax credit for plug-in electric drive vehicles; clarifying the application of and extending the termination date for the exemption allowing the use of high occupancy vehicle lanes by plug-in electric drive vehicles regardless of the number of passengers; altering the deadlines for the reporting requirements for the Maryland Electric Vehicle Infrastructure Council; extending the termination date for the Council; and generally relating to electric vehicles.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–616(p)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–616(p)(5)(xvi)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Transportation  
Section 11–145.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–815 and 25–108  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Chapter 491 of the Acts of the General Assembly of 2010  
Section 2

BY repealing and reenacting, with amendments,  
Chapter 492 of the Acts of the General Assembly of 2010  
Section 2

BY repealing and reenacting, without amendments,  
Chapter 400 of the Acts of the General Assembly of 2011  
Section 1(b)

BY repealing and reenacting, with amendments,  
Chapter 400 of the Acts of the General Assembly of 2011  
Section 1(h) and 2

BY repealing and reenacting, without amendments,  
Chapter 401 of the Acts of the General Assembly of 2011  
Section 1(b)

BY repealing and reenacting, with amendments,  
Chapter 401 of the Acts of the General Assembly of 2011  
Section 1(h) and 2

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

**Senate Bill 601 – Senators Zirkin, Raskin, Madaleno, Manno, Montgomery,  
Pinsky, and Ramirez**

SECOND PRINTING

AN ACT concerning

**Maryland Hydraulic Fracturing Moratorium and Right to Know Act of 2013**

FOR the purpose of prohibiting the Department of the Environment from issuing a certain permit for the hydraulic fracturing of a well for the exploration or production of natural gas until certain conditions are met; requiring the Department of the Environment and the Department of Natural Resources to issue a certain risk assessment at a certain time; authorizing the Department of the Environment to establish and collect a certain fee under certain circumstances; requiring the Department of the Environment to adopt certain regulations; requiring the Department of the Environment and the Department of Natural Resources to jointly brief certain committees of the General Assembly on a certain report and certain risk assessment within a certain period of time; declaring the intent of the General Assembly; making stylistic changes; defining certain terms; altering certain definitions; and generally

relating to the hydraulic fracturing of a well for the exploration or production of natural gas in the State.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 14–102  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Environment  
Section 14–107.1  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 602 – Senator Zirkin**

AN ACT concerning

**Public Safety – Gas Pipelines – Best Available Technology Requirement**

FOR the purpose of requiring the Public Service Commission to adopt regulations that establish safety standards and practices applicable to the design, construction, operation, and maintenance of certain gas pipelines; requiring the Commission to adopt regulations that require a gas transmission company to use best available technology to monitor the condition and safety of certain gas pipelines; requiring the Commission to adopt certain federal safety regulations as minimum standards for regulations adopted under this Act; providing for the jurisdiction and enforcement authority of the Commission; defining certain terms; and generally relating to gas pipeline safety.

BY adding to  
Article – Public Safety  
Section 15–101 through 15–103 to be under the new title “Title 15. Gas Pipeline Safety”  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 603 – Senator Zirkin**

AN ACT concerning

**Public Safety – Gas Pipelines – Safety Reporting Requirements**

FOR the purpose of requiring a gas transmission company to submit a certain report on the state of its gas pipelines to the Public Service Commission and to certain owners of real property; requiring a report under this Act to include certain information; requiring the Commission to make certain reports available to the public, including by publication on the Commission Web site; requiring a gas transmission company to identify and provide a certain notice to certain owners of real property; requiring a gas transmission company to provide to the Commission a current list of certain property owners; authorizing the Commission to adopt regulations implementing this Act; defining certain terms; and generally relating to gas pipeline safety.

BY adding to

Article – Public Utilities

Section 15–101 and 15–102 to be under the new title “Title 15. Gas Pipeline Safety”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 604 – Senator Zirkin**

AN ACT concerning

**Public Safety – Gas Pipelines – Construction Requirements**

FOR the purpose of prohibiting a gas transmission company from beginning construction on a gas pipeline before the finalization of certain legal proceedings, including approval by the Board of Public Works, permit and license applications, condemnation proceedings, easement negotiations, and appeals to certain judgments and determinations; defining certain terms; and generally relating to the construction of gas pipelines.

BY adding to

Article – Public Safety

Section 15–101 and 15–102 to be under the new title “Title 15. Gas Pipeline Safety”

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 605 – Senator Zirkin**

AN ACT concerning

**Public Safety – Gas Pipelines – Emergency Response Planning**

FOR the purpose of requiring the Maryland Emergency Management Agency (MEMA), in consultation with certain persons, to establish emergency response standards for certain gas transmission companies; requiring a gas transmission company to submit to MEMA an emergency response plan that meets certain minimum federal standards; requiring MEMA to review the emergency response plan of a gas transmission company and to require certain amendments or updates as needed to protect public safety; requiring a gas transmission company to meet with a certain local fire department to discuss and review emergency response plans; defining certain terms; and generally relating to gas pipeline safety.

BY adding to

Article – Public Safety

Section 15–101 through 15–103 to be under the new title “Title 15. Gas Pipeline Safety”

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 606 – Senator Zirkin**

AN ACT concerning

**Public Service Companies – Gas – Prohibition on Purchase from Unsafe Company**

FOR the purpose of prohibiting a public service company from purchasing gas for distribution from a company that has not installed certain safety equipment on gas transmission lines under its ownership or control, that does not employ certain best practices and technology, or that does not comply with all applicable State and federal safety standards and reporting requirements; and generally relating to the purchase of gas by a public service company.

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 5–303

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 607 – Senator Klausmeier**

AN ACT concerning

**Institutions of Higher Education – Student Notification – Financial Information**

FOR the purpose of requiring certain institutions of higher education that receive State funding to report information on the cost of higher education at the institution to certain students; and generally relating to student notification of financial information by institutions of higher education.

BY adding to

Article – Education

Section 15–113

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 608 – Senators Klausmeier and Young**

AN ACT concerning

**Environment – Radiation Sources – Podiatry and Chiropractic Radiation Machines**

FOR the purpose of requiring a State inspector to provide a certain podiatry office or facility or a certain chiropractic office or facility a certain written notice in accordance with certain requirements under certain circumstances; prohibiting the Department of the Environment from imposing a fine on a certain office or facility for a certain violation under certain circumstances; defining a certain term; and generally relating to inspections of podiatry and chiropractic radiation machines.

BY repealing and reenacting, without amendments,

Article – Environment

Section 8–301(a) and (b)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY adding to

Article – Environment

Section 8–301(e)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)



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

**Senate Bill 609 – Senator Klausmeier**

AN ACT concerning

**Workers' Compensation – Retaliation by Employer – Prohibition**

FOR the purpose of expanding a provision of law prohibiting an employer from discharging a covered employee who files a claim for compensation under the Workers' Compensation law to include prohibiting an employer from retaliating in any way against a covered employee who files such a claim; applying a certain criminal penalty to a violation of this Act; authorizing a certain covered employee to bring a civil action against the employer for a certain violation; authorizing a court to grant certain relief for a certain violation under certain circumstances; providing for trial by jury under certain circumstances; providing that it is not a defense in a civil action under this Act that an employer was found not guilty in a certain criminal proceeding; providing for the construction of this Act; and generally relating to workers' compensation and retaliation against covered employees.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–1105  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

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

**Senate Bill 610 – Senators Klausmeier, Brinkley, Madaleno, and Montgomery**

AN ACT concerning

**Health – Overdose Response Program – Establishment**

FOR the purpose of providing for an Overdose Response Program overseen by the Department of Health and Mental Hygiene; stating the purpose of the Program; authorizing the Department to adopt certain regulations and take certain other action regarding the Program; specifying the requirements an individual must meet to qualify for a certain certificate; requiring that a certain educational training program be conducted by a physician or nurse practitioner or certain other individuals and include certain training; requiring an applicant for a certificate to submit a certain application; requiring a certain public or private entity to issue a certificate to an applicant under certain circumstances; requiring that a certificate contain certain information; providing that a replacement certificate may be issued under certain circumstances; providing

for the term and renewal of a certain certificate; authorizing an individual who is certified to receive from a certain individual a prescription for naloxone and certain supplies, possess prescribed naloxone and certain paraphernalia, and administer naloxone, under certain circumstances, to certain individuals; authorizing a physician or nurse practitioner to prescribe and dispense naloxone to a certificate holder; prohibiting a certain cause of action from arising against a certificate holder, physician, or nurse practitioner under certain circumstances; prohibiting a certificate holder, physician, and nurse practitioner from being held civilly or criminally liable for certain actions; providing that a certificate holder, under certain circumstances, may not be considered to be practicing medicine for the purposes of a certain provision of law; providing that a certain provision of this Act does not affect certain immunities or defenses; prohibiting an individual from being held civilly liable in certain actions under certain circumstances; providing for the construction of this Act; defining certain terms; and generally relating to the Overdose Response Program.

BY adding to

Article – Health – General

Section 13–3101 through 13–3110 to be under the new subtitle “Subtitle 31. Overdose Response Program”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

### **Senate Bill 611 – Senator Klausmeier**

AN ACT concerning

#### **Health Occupations – Maryland Behavior Analysts Act**

FOR the purpose of establishing the Behavior Analyst Advisory Committee within the State Board of Examiners of Psychologists; requiring the Board to adopt certain regulations and a certain code of ethics; requiring the Board to set certain fees for services provided by the Board to behavior analysts; requiring the Board to pay the fees to the Comptroller; requiring the Comptroller to distribute the fees to the Board; requiring the fees to be used to cover certain costs; providing for the composition, appointment, and terms of the Committee members; establishing certain powers and duties of the Committee; requiring certain persons to be licensed by the Board as behavior analysts before performing certain work in the State, except under certain circumstances; establishing certain education and experience requirements to qualify for a license; establishing certain application fees and requirements for obtaining a license; establishing certain terms and procedures for the renewal and reinstatement of a license; requiring the Board to issue a license to certain applicants; specifying

the contents of a license; prohibiting the Board from issuing a license if certain information has not been received; requiring the Board to maintain a certain roster; requiring the Board to place a licensee on inactive status under certain circumstances; prohibiting a licensee from surrendering a license under certain circumstances; requiring a licensee to notify the Board of a change of name or address in a certain manner and within a certain time period; authorizing the Board to deny a license to an applicant, reprimand a licensee, place a licensee on probation, or suspend or revoke a license under certain circumstances; establishing certain requirements for reinstatement of a revoked license; providing for certain criminal, civil, and administrative penalties; establishing certain hearing and appeal procedures for behavior analysts; authorizing a certain action to be maintained to enjoin the unauthorized practice of behavior analysis or certain conduct; providing for a certain behavior analyst rehabilitation committee; specifying the functions of the behavior analyst rehabilitation committee; providing that the proceedings, records, and files of the behavior analyst rehabilitation committee are not discoverable or admissible in evidence in certain actions, under certain circumstances; providing that a certain person is not civilly liable for certain action as a member of a behavior analyst rehabilitation committee; prohibiting a person from practicing, attempting to practice, or offering to practice behavior analysis in the State unless licensed by the Board, except under certain circumstances; prohibiting a person from representing to the public that the person is a licensed behavior analyst or using certain titles, abbreviations, signs, cards, or other representations, except under certain circumstances; requiring the Board to pay certain penalties into the State Board of Examiners for Psychologists Fund; establishing a certain short title; providing that the Committee is subject to the provisions of the Maryland Program Evaluation Act; requiring that an evaluation of the Committee and statutes and regulations that relate to the Committee be performed on or before a certain date; defining certain terms; specifying the terms of the initial members of the Board; providing for the termination of certain provisions of this Act; and generally relating to the licensing and regulation of behavior analysts and a Behavior Analyst Advisory Committee.

BY renumbering

Article – State Government

Section 8–403(b)(9) through (69), respectively  
to be Section 8–403(b)(10) through (70), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health Occupations

Section 18–4A–01 through 18–4A–32 to be under the new subtitle “Subtitle 4A.  
Behavior Analysts”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Government  
Section 8–403(b)(9)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 612 – Senators Klausmeier and Jennings**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Kingsville Volunteer Fire Company**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of the Kingsville Volunteer Fire Company, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 613 – Senator Klausmeier**

AN ACT concerning

**Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds**

FOR the purpose of allowing an individual who files an income tax return electronically to elect to use a certain income tax refund to purchase certain bonds; specifying that the individual must make the designation in certain increments; requiring the Comptroller to send a certain portion of the individual's refund to the individual; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to the State income tax and income tax refunds.

BY adding to

Article – Tax – General  
Section 10–804(k)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 614 – Senator Klausmeier**

AN ACT concerning

**Environment – Dental Radiation Machines – Maintenance and Inspections**

FOR the purpose of repealing a provision authorizing the delay of an annual inspection fee under certain circumstances; requiring a dental radiation machine at a certain dental office or facility to be maintained according to certain specifications or at least annually; requiring maintenance of a dental radiation machine to be performed within a certain period of time by a service provider that is registered with the Department of the Environment; requiring a dental office or facility to maintain certain documentation and reports; requiring a dental office or facility to provide certain information to the Department within a certain period of time; repealing the prohibition against inspecting a dental radiation machine more than once every three years; repealing the authorization for a State inspector to inspect a dental radiation machine under certain circumstances; authorizing the Department to inspect a dental radiation machine under certain circumstances; making conforming changes; and generally relating to the maintenance and inspections of dental radiation machines.

BY repealing and reenacting, with amendments,

Article – Environment  
Section 8–301(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 615 – Senators Klausmeier, Benson, Brochin, Colburn, Ferguson, Forehand, Garagiola, Jacobs, Kittleman, Madaleno, and Middleton**

AN ACT concerning

**Economic Development – Job Creation Incentive Tax Credit**

FOR the purpose of allowing a credit against the State income tax for a certain amount of the qualified wages paid by a qualified business entity for certain qualified positions; requiring the Secretary of the Department of Business and Economic Development to certify certain persons that establish or expand a business in the State as qualified business entities; requiring the Department to provide for a certain number of credit application periods a year; authorizing the Department to issue a certain amount of credit certificates each year; requiring the Comptroller, after a certain number of days after a credit certificate is issued, to transfer a certain amount from the Job Creation Incentive Tax Credit Reserve Fund to the General Fund; providing for the calculation of the amount of the credit; prohibiting a qualified business entity from carrying back any excess credit; allowing a qualified business entity to carry forward any excess credit; allowing certain organizations to claim the credit under certain circumstances; requiring the Comptroller to share certain information with the Department; requiring the Department to report to the Governor and the General Assembly on or before a certain date; requiring the Secretary to adopt regulations to administer the credit; establishing the Job Creation Incentive Tax Credit Reserve Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; providing for the investment of money in and expenditures from the Fund; requiring the Governor to make certain appropriations in certain fiscal years; defining certain terms; providing for the application of this Act; and generally relating to allowing a certain credit against the State income tax for wages paid for the creation of certain qualified positions.

BY adding to

Article – Economic Development

Section 6–601 through 6–608 to be under the new subtitle “Subtitle 6. Job Creation Incentive Tax Credit”

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

BY adding to

Article – Tax – General

Section 10–733

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 616 – Senators Klausmeier and Jennings**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Perry Hall High School  
Stadium Scoreboard**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$55,000, the proceeds to be used as a grant to the Board of Directors of the Perry Hall High School Athletic Booster Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

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

**Senate Bill 617 – Senator Klausmeier**

AN ACT concerning

**Drug Therapy Management – Physician–Pharmacist Agreements**

FOR the purpose of repealing certain provisions of law requiring certain physician–pharmacist agreements to be approved by the State Board of Pharmacy and the State Board of Physicians; requiring, in a group model health maintenance organization, a licensed physician who has entered into a certain physician–pharmacist agreement to provide drug therapy management to submit a copy of the agreement, certain modifications to the agreement, and certain protocols to the State Board of Physicians; requiring, in a group model health maintenance organization, a licensed pharmacist who has entered into a certain physician–pharmacist agreement to provide drug therapy management to submit a copy of the agreement, certain modifications to the agreement, and certain protocols to the State Board of Pharmacy; repealing certain provisions of law relating to the approval, term, and renewal of certain physician–pharmacist agreements; altering a certain definition; making stylistic and conforming changes; and generally relating to physician–pharmacist agreements for drug therapy management in a group model health maintenance organization.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–713.6  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 618 – Senator Astle**

AN ACT concerning

**Public Health – Baby Bumper Pads – Restrictions on Sale**

FOR the purpose of providing that baby bumper pads that comply with certain standards are not a hazardous material for certain purposes; authorizing baby bumper pads that comply with certain standards to be shipped and sold to a purchaser in the State; providing that certain provisions of this Act supersede certain regulations adopted by the Secretary of Health and Mental Hygiene; defining certain terms; and generally relating to the sale of baby bumper pads in the State.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 22–501  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 22–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Health – General  
Section 22–502.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 619 – Senator Astle**

AN ACT concerning

**Wildlife Management and Sustainability Act of 2013**

FOR the purpose of altering the funding sources for and clarifying the uses of the State Wildlife and Management Protection Fund; repealing obsolete language; clarifying that a certain nonresident license does not authorize bear hunting; altering the fees for certain hunting licenses; repealing a certain requirement that the Department of Natural Resources use certain funds for a certain purpose; repealing certain hunting requirements and restrictions; clarifying a certain requirement that a person obtain a certificate of competency in firearms and hunter safety before obtaining a hunting license; altering the distribution of fines collected in District Court for hunting violations; encouraging certain



State agencies to develop certain marketing strategies related to hunting and fishing; and generally relating to wildlife management and sustainability.

BY repealing and reenacting, without amendments,

Article – Natural Resources  
Section 10–209(a) through (c)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 10–209(f) and (g), 10–301(c)(1) and (g), 10–301.1(a) and (b), 10–308,  
10–415, and 10–1102  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to

Article – Natural Resources  
Section 10–209(f–1) and (f–2)  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 620 – Senators Raskin, Astle, Benson, Brochin, Colburn, Currie, Forehand, Frosh, Garagiola, Jacobs, Jennings, Jones–Rodwell, Kelley, King, Klausmeier, Madaleno, Manno, Middleton, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, Robey, Rosapepe, Shank, Stone, Young, and Zirkin**

AN ACT concerning

**Family Law – Denial of Paternity, Custody, and Visitation**

FOR the purpose of excluding as a father of a child a man who has committed a certain sexual crime against the child’s mother for purposes of certain provisions relating to the paternity of a child in a guardianship or adoption proceeding under certain circumstances; requiring a court to consider a certain statement when making a certain finding; prohibiting a court from requiring publication of certain information under certain circumstances; requiring that a certain hearing be held within a certain period of time; authorizing a court to order a man to provide financial support to a child under certain circumstances; prohibiting a court from awarding custody of or visitation with a child to a parent who has committed a certain sexual crime against the other parent under certain circumstances; requiring a court to consider the safety and well-being of the child’s other parent or guardian in approving supervised

visitation; and generally relating to adoption, guardianship, custody, and visitation.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5–306, 5–3A–06, 5–3B–05, and 9–101.2  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 621 – Senators Raskin, Astle, Forehand, Frosh, Gladden,  
Jennings, King, Shank, and Stone**

AN ACT concerning

**Vehicles Laws – Emergency Vehicles – Motorcades and Escorts**

FOR the purpose of authorizing the driver of certain emergency vehicles to exercise certain privileges while performing certain motorcade or escort duties; authorizing certain emergency vehicles to travel through any jurisdiction in the State as necessary to perform and return from motorcade or escort duty; requiring a jurisdiction that employs a driver who travels through another jurisdiction while performing or returning from motorcade or escort duty to provide certain notice to the other jurisdiction; prohibiting the driver of an emergency vehicle from using certain equipment while returning from motorcade or escort duty; and generally relating to the performance of motorcade or escort duty by an emergency vehicle.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 11–118  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 21–106  
Annotated Code of Maryland  
(2012 Replacement Volume)

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

**Senate Bill 622 – Senator Raskin**

AN ACT concerning

**Corporations and Associations – Document Filing and Processing**

FOR the purpose of altering the definition of “electronic transmission”, for purposes of provisions of law governing business entities, to clarify that it includes electronic mail, facsimile transmission, and Internet transmission; clarifying the authority of the State Department of Assessments and Taxation to accept documents that are filed for record by electronic transmission; repealing certain obsolete provisions of law relating to filing documents by means of a facsimile device; authorizing the Department, under certain circumstances, to accept certain documents or drafts of certain documents for approval of the documents’ sufficiency before the documents are filed with the Department; authorizing the Department to adopt regulations to administer the preclearance process; establishing a certain processing fee for preclearance of certain documents and drafts of certain documents; requiring the fees collected to be credited to a certain fund; establishing a certain fee for processing certain documents on a certain expedited basis; requiring the Department, under certain circumstances, to process certain documents within a certain period of time after the documents are received; requiring an entity to take certain actions if the Department waives the requirement that the written consent of the entity’s resident agent must be filed with the Department; establishing when a certain consent shall be effective; making certain stylistic, conforming, and clarifying changes; defining certain terms; repealing a certain definition; providing for the construction of this Act; and generally relating to filing and processing business entity documents.

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 1–101, 1–201, 1–203, 1–203.2, and 1–208  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

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

**Senate Bill 623 – Senators Raskin, Currie, Ferguson, Forehand, Frosh, Gladden, King, Madaleno, Manno, McFadden, Montgomery, Peters, Pinsky, Ramirez, Robey, Rosapepe, Young, and Zirkin**

AN ACT concerning

**Maryland Assault Weapons Ban of 2013**

FOR the purpose of designating certain firearms as assault weapons; prohibiting with certain exceptions a person from transporting an assault weapon into the State or possessing, selling, offering to sell, transferring, purchasing, or receiving an assault weapon; requiring the Handgun Roster Board to compile and maintain a roster of prohibited assault weapons; requiring the Board to have the roster of prohibited assault weapons published in the Maryland Register at certain times

and to send copies of the roster to certain persons; designating assault long guns and copycat weapons as types of assault weapons; authorizing certain licensed firearms dealers to continue to possess, sell, offer for sale, or transfer assault long guns or copycat weapons under certain circumstances; authorizing certain persons to continue to possess assault long guns or copycat weapons under certain circumstances; authorizing a procedure by which a person may petition the Board to remove a copycat weapon from the roster of prohibited assault weapons; requiring the Board to hold a hearing under certain circumstances; making it a misdemeanor to use an assault long gun or a copycat weapon in the commission of a felony or a crime of violence; establishing certain penalties; requiring that certain firearms be lawfully possessed on or before a certain date in order for them to qualify as regulated firearms for certain purposes; defining certain terms; making conforming changes; and generally relating to assault weapons.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 3–202(a)(2)(ii) and 4–106(a)(6)(ii); and 4–301 through 4–306 to be under the amended subtitle “Subtitle 3. Assault Weapons and Detachable Magazines”

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Law

Section 4–305 and 4–306

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 5–101(p)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

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

**Senate Bill 624 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)**

AN ACT concerning

### **Identity Fraud – Medical Records**

FOR the purpose of prohibiting a person from knowingly, willfully, and with fraudulent intent, possessing, obtaining, or helping another to possess or obtain personal identifying information to access medical information or services;

prohibiting a person from knowingly and willfully assuming the identity of a natural or a fictitious person with fraudulent intent to access medical information or services; prohibiting a person from using a certain device knowingly, willfully, and with fraudulent intent to access medical information or services; providing penalties for a violation of this Act; authorizing a court to order a certain person to make restitution for clearing the medical history or records of a victim; altering a certain definition; and generally relating to identity fraud.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 8–301(a) through (d), (g), and (i)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 8–301(e), (f), (h), and (j)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 625 – Senators Ramirez, Benson, Currie, Ferguson, and Montgomery**

AN ACT concerning

**Real Property – Dwellings Rented to Individuals at Least 55 Years Old –  
Air-Conditioning Systems**

FOR the purpose of requiring certain residential dwelling structures that are offered for rent only to individuals at least a certain age and are constructed or improved in a certain manner on or after a certain date with money received from the State on or after a certain date to be equipped with an air-conditioning system meeting certain requirements; requiring air-conditioning systems required under this Act to be in compliance with certain codes; and generally relating to air-conditioning systems in residential dwelling structures rented to individuals at least 55 years old.

BY adding to  
Article – Real Property  
Section 14–133  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 626 – Senators Ramirez and Madaleno**

AN ACT concerning

**Courts and Judicial Proceedings – Criminal Injuries Compensation Fund – Court Costs**

FOR the purpose of requiring the imposition of certain court costs if a defendant is sentenced to probation before judgment for or pleads nolo contendere to a certain crime or offense; and generally relating to court costs deposited into the Criminal Injuries Compensation Fund.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–819(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–409(b), (c), and (d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 7–409(e) and (f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 627 – Senators Ramirez and Manno**

AN ACT concerning

**Maryland Energy Administration – Regulated Sustainable Energy Contract Program**

FOR the purpose of authorizing the Maryland Energy Administration to create a Regulated Sustainable Energy Contract Program to authorize qualified contractors to provide residential renewable energy installations and residential energy efficiency measures to residential property owners under certain regulated sustainable energy contracts; stating the intent of the General

Assembly; requiring the Administration to manage, supervise, and administer a certain Program; requiring the Administration to adopt certain regulations under certain circumstances; authorizing the Administration to enter into certain contracts; authorizing the Administration to collect certain reasonable fees from qualified contractors; authorizing the Administration to authorize certain qualified contractors to enter into certain regulated sustainable energy contracts with certain persons, directly bill certain persons, and enforce payment under a certain regulated sustainable energy contract according to certain provisions; authorizing the Administration to limit certain authorizations in a certain manner or to authorize more than one qualified contractor to operate in a certain territory or offer certain products; requiring the Administration to perform a certain study before developing and implementing a certain Program; authorizing the Administration to develop and implement a test or pilot program; requiring a regulated sustainable energy contract to meet certain requirements established by the Administration and to require certain actions; requiring the Administration, by regulation or order, to establish certain requirements for a certain regulated sustainable energy contract; prohibiting a certain qualified contractor from entering into a certain regulated sustainable energy contract unless certain conditions have been met; authorizing a property owner to subject property to a certain regulated sustainable energy contract by recording or authorizing the recordation of the regulated sustainable energy contract in a certain manner; providing that a person that acquires property subject to a certain regulated sustainable energy contract assumes a certain obligation; authorizing the Administration to revoke a certain authorization if the Administration makes a certain determination; authorizing a certain qualified contractor to collect payments that are in arrears under a certain regulated sustainable energy contract, by the imposition of a lien on a certain property in accordance with the Maryland Contract Lien Act; adding a certain regulated sustainable energy contract recorded under a certain provision of law to the definition of a “contract” under the Maryland Contract Lien Act; requiring the Administration to report to the General Assembly on or before a certain date; defining certain terms; and generally relating to the Regulated Sustainable Energy Contract Program.

BY adding to

Article – State Government

Section 9–20C–01 through 9–20C–08 to be under the new subtitle “Subtitle 20C.  
Regulated Sustainable Energy Contracts”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property

Section 14–201(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Real Property  
Section 14–202  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

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

**Senate Bill 628 – Senator Jacobs**

AN ACT concerning

**Crimes Against Public Administration – Tampering with Evidence**

FOR the purpose of prohibiting a certain person from willfully altering, destroying, concealing, or removing a certain item with the intention of impairing the integrity of the item or the availability of the item in a certain investigation; prohibiting a person from willfully making, devising, preparing, presenting, offering, or using a certain item knowing it to be false and with the intention of misleading a certain public official or employee; establishing penalties for a violation of this Act; providing that a certain sentence may be separate from and consecutive to or concurrent with a sentence for a certain crime; defining a certain term; and generally relating to crimes against public administration.

BY adding to  
Article – Criminal Law  
Section 9–307  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

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

**Senate Bill 629 – Senator Edwards**

AN ACT concerning

**Alcoholic Beverages – Allegany County – Video Lottery Facility Sales and Consumption**

FOR the purpose of creating in Allegany County a Class BWL–VLF (video lottery facility) beer, wine and liquor license and a Class BWL–VLC (concessionaire) beer, wine and liquor license; specifying that the Board of License Commissioners may issue a video lottery facility license for a video lottery facility that contains one or more food services facilities, bars, or lounges; specifying that a video lottery facility license may be issued to an individual or entity that meets certain requirements; providing that an applicant for the license need not meet a location, voting, or residency requirement; providing



that the video lottery facility license authorizes the licensee to sell beer, wine, and liquor by the drink and by the bottle on the premises of the video lottery facility, for consumption anywhere in the facility or on grounds controlled by the licensee as defined in the video lottery facility license; authorizing the Board to issue a concessionaire license to one or more concessionaires operating in a video lottery facility; authorizing a concessionaire license holder to sell beer, wine, and liquor on the premises of the concessionaire for consumption anywhere in the video lottery facility or on grounds controlled by the video lottery facility licensee as defined in the video lottery facility license; specifying certain fees; specifying that an off-sale privilege is not conferred by a video lottery facility license or a concessionaire license; authorizing that beer, wine, and liquor purchased under a video lottery facility license or a concessionaire license may be taken anywhere in a video lottery facility or on grounds controlled by the video lottery facility licensee; specifying that a video lottery facility license and a concessionaire license authorize the playing of music and dancing; specifying certain days and hours of sale for the video lottery facility and concessionaire licenses; specifying that video lottery facility and concessionaire licenses and licensees are subject to all laws and regulations applicable to the sale of alcoholic beverages not inconsistent with this Act; providing for the application to certain persons of certain penalties and sanctions for violations occurring on certain premises; authorizing a person to consume alcoholic beverages on the licensed premises of a video lottery facility during certain hours of operation of the facility; specifying that the hours for the sale of alcoholic beverages under a video lottery facility license or concessionaire license are the same as the hours of operation for a video lottery facility; defining certain terms; and generally relating to alcoholic beverages and video lottery facilities in Allegany County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6–201(a) and (b)(1) and (2), 11–304(a), and 11–501(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 6–201(b–1) and 11–501(d)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 11–304(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 9–1A–23(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

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

**Senate Bill 630 – Senator King**

AN ACT concerning

**Evidence – Testimony by Spouse – Violation of Protective Order**

FOR the purpose of providing that the spouse of a person on trial for a violation of a certain protective order may be compelled to testify as an adverse witness; providing for the application of this Act; and generally relating to spousal testimony.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 9–106(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

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

**Senate Bill 631 – Senators King, DeGrange, Forehand, Garagiola, Klausmeier, Manno, Miller, and Peters**

AN ACT concerning

**Hotel Rental Tax – Exemption – Lodging at a Corporate Training Center**

FOR the purpose of providing an exemption for certain counties from certain hotel rental taxes and transient occupancy taxes for the sale of a right to occupy a room or lodgings as a transient guest at certain facilities or campuses; authorizing certain taxpayers to claim certain refunds; providing for the application of this Act; and generally relating to providing a certain exemption under certain county hotel rental and transient occupancy taxes.

BY adding to  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–306 and 9–602(f)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to

The Charter of Baltimore City  
Article II – General Powers  
Section (40)(f)  
(2007 Replacement Volume, as amended)

BY adding to

The Public Local Laws of Baltimore County  
Section 11–1–102(e)  
Article 3 – Public Local Laws of Maryland  
(2003 Edition and October 2012 Supplement, as amended)

BY adding to

The Public Local Laws of Howard County  
Section 20.400(d)  
Article 14 – Public Local Laws of Maryland  
(1977 Edition and August 2008 Supplement, as amended)

BY adding to

The Public Local Laws of Montgomery County  
Section 52–17(e)  
Article 16 – Public Local Laws of Maryland  
(2004 Edition and December 2012 Supplement, as amended)

BY adding to

The Public Local Laws of Prince George’s County  
Section 10–218.01(c)  
Article 17 – Public Local Laws of Maryland  
(2007 Edition and 2010 Supplement, as amended)

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

### **Senate Bill 632 – Senator King**

AN ACT concerning

#### **State Brain Injury Trust Fund**

FOR the purpose of establishing the State Brain Injury Trust Fund as a special fund to be used to support certain services for certain individuals with brain injuries; requiring the Secretary of Health and Mental Hygiene or the Secretary’s designee to administer the Fund; requiring the Secretary or the Secretary’s designee to report to the Governor and the General Assembly on or before a certain date each year; establishing eligibility for individuals to receive assistance from the Fund; requiring that certain investment earnings be credited to the Fund; altering the amount of a certain motor vehicle registration fee surcharge; requiring that a certain amount of the motor vehicle registration

fee surcharge be paid into the Fund; defining certain terms; and generally relating to the establishment of the State Brain Injury Trust Fund.

BY adding to

Article – Health – General

Section 13–21A–01 through 13–21A–03 to be under the new subtitle “Subtitle 21A. State Brain Injury Trust Fund”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)69. and 70.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)71.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–954

Annotated Code of Maryland

(2012 Replacement Volume)

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

### **Senate Bill 633 – Senators Peters, Brinkley, and Currie**

AN ACT concerning

#### **Libraries – County Library Capital Project Grant – Wealth–Based Cost Share**

FOR the purpose of establishing a State cost share formula for county library capital projects that receive State funding; setting a minimum and a maximum State cost share percentage; and generally relating to the county library capital grant program.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 23–510  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 634 – Senators Peters, Currie, DeGrange, Glassman, Kittleman,  
Klausmeier, and Robey**

AN ACT concerning

**Commercial Law – Self-Service Storage Facilities**

FOR the purpose of altering certain notice procedures required to enforce a lien on certain property stored in a leased space at a self-service storage facility; altering certain requirements relating to the advertisement of a sale to enforce a certain lien; providing that a certain sale held on an online auction Web site shall be deemed to be held at a certain location; altering the required means of delivery of certain notices; altering the circumstances under which certain notices shall be deemed to be delivered to certain persons; authorizing an operator of a self-service storage facility to have certain property towed or removed from the self-service storage facility under certain circumstances; providing that an operator of a self-service storage facility is immune from civil liability under certain circumstances; providing that a certain limit on the value of certain property specified in a rental agreement shall be deemed to be the maximum value of the property; authorizing an operator of a self-service storage facility to charge certain late fees under certain circumstances; requiring a rental agreement to contain a certain statement; providing for the application of this Act; defining certain terms; altering certain definitions; making stylistic changes; and generally relating to self-service storage facilities.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 18–501, 18–503(b), and 18–504  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 635 – Senator Gladden**

AN ACT concerning

**Criminal Procedure – Sex Offender – Entry Restrictions**

FOR the purpose of providing that a certain restriction against a registered sex offender entering certain real property does not apply if the registrant's ward is a student or receives child care under certain circumstances or the registrant enters the property for the purpose of attending or participating in worship or other activity sponsored by a house of worship under certain circumstances; and generally relating to sex offenders.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–722(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 636 – Senator Manno**

AN ACT concerning

**Motor Vehicle Excise Tax – Leased Vehicles – Application of Trade-In Value**

FOR the purpose of altering the definition of “total purchase price” for purposes of the motor vehicle excise tax to exclude from the computation of the tax a certain allowance for the trade-in of certain vehicles; and generally related to the trade-in allowance allowed for purposes of the motor vehicle excise tax.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–809(a)(3)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 637 – Carroll County Senators**

AN ACT concerning

**Courts and Judicial Proceedings – Circuit Court for Carroll County – Fees for Appearance of Counsel**

FOR the purpose of altering certain appearance of counsel fees collected or charged by the Clerk of the Circuit Court for Carroll County; authorizing the Clerk of the Circuit Court for Carroll County to collect a certain appearance of counsel fee; and generally relating to certain appearance of counsel fees.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 7–204(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 638 – Senators Manno, Forehand, Frosh, Garagiola, King,  
Madaleno, Montgomery, and Raskin**

AN ACT concerning

**Creation of a State Debt – Montgomery County – St. Luke’s House  
Renovation Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of St. Luke’s House and Threshold Services United, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 639 – Senators Manno, Forehand, and Raskin**

AN ACT concerning

**Civil Rights Tax Relief Act**

FOR the purpose of allowing an individual a subtraction modification under the Maryland income tax for certain payments received by a claimant for certain damages as a result of certain claims of unlawful discrimination; defining certain terms; providing for the application of this Act; and generally relating to an income tax subtraction modification for certain damages as a result of certain claims of unlawful discrimination.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General  
Section 10–207(aa)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 640 – Senators Frosh, Brochin, Forehand, Getty, Gladden, Muse,  
Raskin, Stone, and Zirkin**

AN ACT concerning

**Civil Cases – Maryland Legal Services Corporation Fund – Surcharges –  
Repeal of Termination Date**

FOR the purpose of repealing the termination date of certain provisions of law altering certain surcharges on certain fees, charges, and costs in certain civil cases and requiring a certain informational budget to be prepared for the Maryland Legal Services Corporation and submitted to the General Assembly; and generally relating to the Maryland Legal Services Corporation Fund.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 7–202(a)(1), (d), and (f) and 7–301(c)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Human Services  
Section 11–208  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 486 of the Acts of the General Assembly of 2010  
Section 2

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 641 – Senators Frosh, Ferguson, Madaleno, Manno, Montgomery,  
Pinsky, and Raskin**

AN ACT concerning

**Statewide Container Recycling Incentive Program**



FOR the purpose of requiring certain beverage distributors to register with the Department of the Environment in a certain manner on or before a certain date; requiring certain beverage distributors to maintain certain records; requiring a redeemable beverage container sold in the State to bear certain information beginning on a certain date; requiring each county, in consultation with the Department, to designate certain convenience zones on or before a certain date; requiring certain beverage distributors to pay a certain deposit to the Comptroller of the State beginning on a certain date; establishing procedures for the payment of certain deposits by certain beverage distributors to the Comptroller; requiring the Comptroller to deposit certain payments to the Container Recycling Incentive Fund; requiring certain beverage distributors to collect a certain deposit on redeemable beverage containers from certain retailers and on-premise sellers beginning on a certain date; requiring certain retailers to charge a consumer a redeemable beverage container deposit at the point of sale of a beverage; requiring that certain deposit charges appear as a separate line item on bills and invoices and prohibiting certain deposit charges from being included in the calculation of the sales tax on a beverage; requiring at least one licensed redemption center to be located within each convenience zone beginning on a certain date; establishing certain requirements for redemption centers; requiring each county, in consultation with the Department, to adopt certain rules and procedures for the licensing of redemption centers and to establish certain verification procedures for certain redemption centers; requiring the Comptroller to pay to a redemption center the full refund value of the redeemable beverage containers the redemption center accepts under certain circumstances; requiring the Comptroller to pay certain handling fees to privately operated redemption centers and to redemption centers operated by a county; establishing certain requirements for requests for payment submitted by redemption centers to the Comptroller; authorizing the Comptroller to refuse payment to a redemption center under certain circumstances; establishing the Container Recycling Incentive Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Comptroller to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the purposes for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; authorizing the Secretary to adopt certain regulations; requiring the Office of Recycling to work with the counties on certain activities; defining certain terms; and generally relating to the establishment of a Statewide Container Recycling Incentive Program.

BY adding to

Article – Environment

Section 9–1733 through 9–1741 to be under the new part “Part V. Statewide Container Recycling Incentive Program”

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Finance.

**Senate Bill 642 – Senators Muse, Conway, Forehand, Gladden, Ramirez, and Robey**

AN ACT concerning

**Residential Real Property – Prohibition on Nonjudicial Evictions**

FOR the purpose of prohibiting certain persons from taking possession or threatening to take possession of residential property from a certain protected resident in a certain manner; establishing that certain persons may take possession of residential property from a certain protected resident only under certain circumstances; prohibiting a landlord from taking possession or threatening to take possession of a dwelling unit from a tenant or tenant holding over in a certain manner; establishing that a landlord may take possession of a dwelling unit from a tenant or tenant holding over only under certain circumstances; prohibiting a mobile home park owner from taking possession or threatening to take possession of leased premises from a resident in a certain manner; establishing that a mobile home park owner may take possession of leased premises from a resident only under certain circumstances; providing certain remedies for a violation of this Act; providing that the remedies are not exclusive and that certain persons may recover certain other damages under any other applicable law; defining certain terms; and generally relating to nonjudicial evictions.

BY adding to

Article – Real Property

Section 7–112, 8–216, and 8A–1102

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 643 – Senators Rosapepe, Raskin, and Young**

**CONSTITUTIONAL AMENDMENT**

AN ACT concerning

**End the Gridlock**

FOR the purpose of proposing an amendment to the Maryland Constitution relating to transportation financing; providing that the General Assembly may authorize a referendum on a transportation investment program; providing that a transportation investment program submitted to referendum may include a

certain source of revenue or authorize the issuance of certain bonds; requiring that a transportation investment program submitted to referendum include a list of certain transportation projects; providing that a transportation investment program submitted to referendum becomes law, after approval by the voters of the State, at a time specified in a certain law; establishing a Transportation Trust Fund to be used only for purposes relating to transportation except under certain circumstances; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; providing that this amendment does not prohibit the allocation or use of certain funds in the Transportation Trust Fund for counties, municipalities, and Baltimore City as authorized by law; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; authorizing the use of funds in the Transportation Trust Fund for defense or relief purposes if the State is invaded or a major catastrophe occurs and the Governor and the General Assembly take certain actions and provide for the repayment of the funds; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution  
Article III – Legislative Department  
Section 53 and 53A

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 644 – Senator Rosapepe**

AN ACT concerning

**University of Maryland Medical System Corporation – Public Information Act**

FOR the purpose of applying the provisions of the Public Information Act to the University of Maryland Medical System Corporation; and generally relating to the University of Maryland Medical System Corporation.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 13–303(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 645 – Senator Rosapepe**

AN ACT concerning

**Homestead Property Tax Credit – Principal Residency – Information from  
Motor Vehicle Administration and Counties**

FOR the purpose of requiring the Motor Vehicle Administration and each county to cooperate with the Department of Assessments and Taxation by providing certain information relevant to establishing principal residency as it relates to determining eligibility for the Homestead Property Tax Credit; and generally relating to providing information for determining eligibility for the Homestead Property Tax Credit.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–105(l)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 646 – Senators Jennings and Klausmeier**

AN ACT concerning

**Public Safety – Handgun Permit Background Check – Armored Car Company  
Employees**

FOR the purpose of authorizing the Secretary of State Police to accept certain background checks from certain armored car companies in place of a certain criminal history records check performed by the Department of Public Safety and Correctional Services under certain circumstances; and generally relating to handgun permit background checks.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 5–305  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 647 – Senators Montgomery, Benson, Colburn, Madaleno, Shank,  
and Young**

AN ACT concerning

**Higher Education and Health Occupations – Nurse Midwifery Program –  
Study**

FOR the purpose of requiring the University of Maryland, Baltimore, in cooperation with the Maryland Higher Education Commission, the Johns Hopkins School of Nursing, and the State Board of Nursing, to conduct a certain study and make certain recommendations to certain committees of the General Assembly on or before a certain date regarding certain nurse midwifery programs; and generally relating to a study of nurse midwifery programs.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 648 – Senator Gladden**

AN ACT concerning

#### **Juvenile Law – Jurisdiction and Detention**

FOR the purpose of establishing that the juvenile court has jurisdiction over a certain child alleged to have committed certain acts which, if committed by an adult, would be certain crimes, or over a certain child who has previously been convicted of a felony under certain circumstances; prohibiting a child from waiving the right to counsel at a certain waiver hearing; requiring a certain person to be transferred to a juvenile facility unless a certain finding has been made; prohibiting a child from being transported together with certain adults unless a certain finding has been made; repealing certain provisions of law governing the transfer of certain criminal cases to juvenile court; making stylistic and conforming changes; altering certain requirements relating to events that must be reported to the Criminal Justice Information System Central Repository; altering certain requirements relating to the fingerprinting of a child adjudicated delinquent; providing for the application of this Act; and generally relating to juvenile law.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–03(d), 3–8A–16, and 3–8A–20(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Criminal Procedure  
Section 4–202 and 4–202.2  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 4–202.1, 10–215(a)(20), and 10–216(d)

Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 649 – Senators Getty and Frosh**

AN ACT concerning

**Estates and Trusts – Personal Representatives and Guardians – Standards**

FOR the purpose of defining “serious crime” for purposes of a certain prohibition against a register or court granting letters of representation to a person convicted of a serious crime; prohibiting a court from appointing, as a guardian of a minor or disabled person, a person who has been convicted of a certain crime; prohibiting the court from appointing, as a guardian of the property of a minor or disabled person, a person who has been convicted of a certain crime; providing for the application of this Act; and generally relating to personal representatives or guardians of persons or property.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 5–105  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Estates and Trusts  
Section 11–112  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 650 – Senators Getty and Edwards**

AN ACT concerning

**Natural Resources – Hunting License Applications – Social Security Number**

FOR the purpose of creating for hunting licenses issued by the Department of Natural Resources an exception to the requirement that a licensing authority require a license applicant to disclose the Social Security number of the applicant and record the Social Security number on the application; altering the information that a request for information from a hunting license application made by the Child Support Enforcement Administration is required to contain under certain circumstances; repealing provisions of law requiring an applicant for hunting

licenses to provide the Social Security number of the applicant and prohibiting the Department of Natural Resources from requiring an applicant for a hunting license to provide the Social Security number of the applicant; and generally relating to information required to be disclosed on an application for a hunting license issued by the Department of Natural Resources.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 10–119.3  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Natural Resources  
Section 10–301(d)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–301(e)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 651 – Senators Young, Raskin, Rosapepe, and Shank**

AN ACT concerning

#### **Criminal Law – Synthetic Cannabinoids – Penalties**

FOR the purpose of listing synthetic cannabinoids on Schedule I to designate controlled dangerous substances that may not be legally used, possessed, or distributed; establishing certain penalties for a violation of this Act; defining a certain term; and generally relating to controlled dangerous substances.

BY renumbering  
Article – Criminal Law  
Section 5–101(e) through (ee), respectively  
to be Section 5–101(f) through (ff), respectively  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Law

Section 5–101(a) and 5–601(c)(1)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Law  
Section 5–101(e)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 5–304, 5–402(d), and 5–601(c)(2)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 652 – Senators Edwards and Brinkley**

AN ACT concerning

#### **Motor Fuel – Mass Transit Tax – Transit Funding**

FOR the purpose of imposing a certain additional tax on certain motor fuel in certain jurisdictions; establishing the rate of the tax as a certain percentage of the sales price charged by a distributor for motor fuel sold to a retail service station dealer in certain jurisdictions; requiring the tax to be imposed at a certain time and collected and paid in a certain manner; requiring a distributor to file a motor fuel mass transit tax return at certain times; allowing a distributor to deduct a certain amount of the motor fuel mass transit tax due to reimburse the distributor for certain expenses; providing that certain exemptions, refunds, procedures, and penalties that apply to the motor fuel tax also apply to the motor fuel mass transit tax, unless certain regulations provide otherwise; requiring the Comptroller to adopt regulations implementing the motor fuel mass transit tax; requiring regulations adopted by the Comptroller to address certain matters; requiring that motor fuel mass transit tax revenue be distributed in a certain manner; creating the Mass Transit Account in the Transportation Trust Fund to pay the cost of light rail and subway transit facilities and transit service operated by the Maryland Transit Administration in certain jurisdictions; requiring that certain motor fuel mass transit tax revenue be credited to the Mass Transit Account; prohibiting the Department of Transportation from budgeting more than a certain amount of certain funds in the Transportation Trust Fund to pay certain transit costs; authorizing the Department to budget funds in the Transportation Trust Fund to pay certain transit costs in excess of a certain amount only if the excess amount is paid from the Mass Transit Account; requiring persons who hold motor fuel on the date



that the motor fuel mass transit tax is first imposed to remit any motor fuel mass transit tax that is due on the motor fuel; repealing certain obsolete provisions; defining certain terms; and generally relating to imposing a motor fuel mass transit tax on motor fuel and dedicating the revenue to mass transit.

BY adding to

Article – Tax – General

Section 1–101(n–1); 2–11A–01 through 2–11A–03 to be under the new subtitle “Subtitle 11A. Motor Fuel Mass Transit Tax Distribution”; and 9–401 through 9–407 to be under the new subtitle “Subtitle 4. Motor Fuel Mass Transit Tax”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 3–216(c)(2)(i) and (d)(1)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing

Article – Transportation

Section 3–216(d)(3)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Transportation

Section 3–216(d)(3) and 7–309

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 653 – Senators Edwards and Brinkley**

AN ACT concerning

#### **Sales and Use Tax – Mass Transit**

FOR the purpose of increasing the sales and use tax rate by a certain amount in certain counties; altering the sales and use tax rate that applies to certain sales in certain counties; creating the Mass Transit Account in the Transportation Trust Fund to pay the cost of light rail and subway transit facilities and transit service operated by the Maryland Transit Administration in certain counties; requiring that revenue from the increase in the sales and use tax rate under this Act be credited to the Mass Transit Account; prohibiting the Department of

Transportation from budgeting more than a certain amount of certain funds in the Transportation Trust Fund to pay certain transit costs; authorizing the Department to budget funds in the Transportation Trust Fund to pay certain transit costs in excess of a certain amount only if the excess amount is paid from the Mass Transit Account; repealing certain obsolete provisions; defining a certain term; and generally relating to increasing the sales and use tax rate in certain counties and dedicating the revenue to mass transit in certain counties.

BY adding to

Article – Tax – General  
Section 2–1302.2 and 11–104(a–1)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 2–1303, 11–104(b), (d), (f)(2), (g), (h)(2), and (i) and 11–301  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 11–104(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation  
Section 3–216(c)(2)(i) and (d)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing

Article – Transportation  
Section 3–216(d)(3)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Transportation  
Section 3–216(d)(3) and 7–309  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 654 – Senator Simonaire**

AN ACT concerning

**Criminal Law – Safe Harbor for Minors Act of 2013**

FOR the purpose of establishing a minimum age at which a person may be charged with certain prostitution offenses; establishing a presumption that, if a minor of a certain age is charged with a certain prostitution offense, the minor was coerced into committing the offense; establishing that it is not a defense to a prosecution of certain prostitution and human trafficking offenses that a person who consented to certain acts may not be prosecuted due to the person's age; and generally relating to prostitution.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 11–303(a) and (b)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Criminal Law  
Section 11–303(f)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 11–306  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 655 – Senator Simonaire**

AN ACT concerning

**Anne Arundel County – State's Attorney – Annual Salary**

FOR the purpose of altering, beginning on a certain date and under certain circumstances, the annual salary of the State's Attorney for Anne Arundel County; providing that this Act does not apply to the salary or compensation of the incumbent State's Attorney; and generally relating to the State's Attorney for Anne Arundel County.

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure

Section 15–403(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 15–403(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 656 – Senator Miller**

AN ACT concerning

**Calvert County – Property Tax – Natural Gas Facility**

FOR the purpose of authorizing the governing body of Calvert County to enter into a payment in lieu of taxes agreement with the owner of a facility for the liquefaction of natural gas; requiring an agreement for payment in lieu of taxes to include certain provisions; providing that certain property of the owner of a natural gas facility is exempt from county property tax as provided in a payment in lieu of taxes agreement; requiring a certain supervisor to assess certain property of a facility that is subject to a payment in lieu of taxes agreement on the request of the governing body of Calvert County; authorizing the governing body of Calvert County to grant a credit against the county property tax imposed on certain property of an expanding or new business engaged in the liquefaction of natural gas; providing for the application of this Act; and generally relating to authorizing property tax relief for a natural gas facility in Calvert County.

BY adding to  
Article – Tax – Property  
Section 7–517  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–306(g)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 657 – Senators King, Currie, Ferguson, Garagiola, Manno,  
Montgomery, and Raskin**

AN ACT concerning

**Criminal Law – Third Degree Sexual Offense – Person in Position of  
Authority**

FOR the purpose of repealing the requirement that the prosecution of a misdemeanor offense of the prohibition against a certain person in a position of authority engaging in a sexual act or sexual contact with a minor, under certain circumstances, be instituted within 3 years after the offense was committed; prohibiting a certain person in a position of authority who is at least a certain number of years older than the victim from engaging in sexual contact, a sexual act, or vaginal intercourse with a minor while the minor is enrolled or participating in the institution, program, or activity at which the person in a position of authority works or a minor who was previously enrolled or participating in the institution, program, or activity at the same time the person in a position of authority was working at the institution, program, or activity; providing that a certain sexual offense under this Act may not be considered a lesser-included offense of another crime; providing that a prosecution under this Act does not preclude prosecution under a certain statute; establishing penalties for violating this Act; repealing the prohibition against a person in a position of authority engaging in a sexual act or sexual contact with a minor who, at the time of the sexual act or sexual contact, is a student enrolled at a school where the person in a position of authority is employed and the prohibition against a person in a position of authority engaging in vaginal intercourse with a minor who, at the time of the vaginal intercourse, is a student enrolled at a school where the person in a position of authority is employed; defining a certain term; making technical corrections; and generally relating to sexual offenses.

BY repealing

Article – Courts and Judicial Proceedings  
Section 5–106(z)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 5–106(aa), (bb), and (cc)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law  
Section 3–301, 3–307, and 3–308

Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 658 – Senators King, Brinkley, Currie, Ferguson, Garagiola,  
Manno, Montgomery, Raskin, and Robey**

AN ACT concerning

**Estate Tax and Income Tax – Qualifying Income Interest for Life and  
Subtraction Modification for Health Insurance and Medical Expenses**

FOR the purpose of altering the qualifications for a qualified income interest for life under the Maryland estate tax to include individuals recognized as married by the State; providing a subtraction modification under the Maryland income tax for the costs of health insurance and other medical expenses incurred by an individual on behalf of another adult individual under certain circumstances; providing that the subtraction may not exceed a certain amount; providing for the application of this Act; and generally relating to the calculation of the Maryland estate tax for certain individuals and an income tax subtraction modification for the costs of health insurance and other medical expenses incurred on behalf of another adult individual.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 7–309(b)(6)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–208(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Tax – General  
Section 10–208(t)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 659 – Senators King, Currie, Manno, and Simonaire**

AN ACT concerning

**Income Tax – Subtraction Modification for Retirement Income**

FOR the purpose of altering the calculation of the maximum subtraction modification allowed under the Maryland income tax for certain retirement income for certain taxable years; including income from certain retirement plans within a certain subtraction modification for certain retirement income under certain circumstances; and generally relating to an income tax subtraction modification for certain retirement income.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–209  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 660 – Senators Jacobs, Astle, Brinkley, Colburn, Edwards, Getty, Glassman, Jennings, Kittleman, Klausmeier, Pipkin, Reilly, and Simonaire**

AN ACT concerning

**Public Safety – Regulated Firearm License – Reciprocity**

FOR the purpose of specifying that a license issued by another state to an individual authorizing the individual to carry a regulated firearm, including a concealed regulated firearm, is valid in Maryland; and generally relating to regulated firearms.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(p)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Public Safety  
Section 5–117.1  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 661 – Senators Jacobs, Astle, Brinkley, Colburn, DeGrange, Dyson, Getty, Glassman, Jennings, Kittleman, Klausmeier, Middleton, Muse, Peters, Pipkin, Reilly, and Simonaire**

AN ACT concerning

**Privileged Communications – Critical Incident Stress Management and Peer Support**

FOR the purpose of prohibiting a critical incident stress management team member from disclosing certain confidential information acquired from a law enforcement officer, a correctional officer, or an emergency responder in the course of duty; prohibiting a critical incident stress management team member from being compelled to testify in certain proceedings before a governmental unit; prohibiting an individual who participates in a critical incident stress management team intervention from disclosing certain confidential information; prohibiting an individual who participates in a critical incident stress management team intervention from being compelled to testify in certain proceedings before a governmental unit; prohibiting a peer support member from disclosing certain confidential information acquired from a law enforcement officer or an emergency responder in the course of duty; prohibiting a peer support member from being compelled to testify in certain proceedings before a governmental unit; prohibiting an individual who is present during the provision of peer support services from disclosing certain confidential information; prohibiting an individual who is present during the provision of peer support services from being compelled to testify in certain proceedings before a governmental unit; establishing certain exceptions to certain privileges; defining certain terms; and generally relating to privileged communications acquired during the course of critical incident stress management team interventions and in the provision of peer support services.

BY adding to

Article – Courts and Judicial Proceedings

Section 9–112.1

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 662 – Senators Mathias and Colburn**

AN ACT concerning

**Natural Resources – Commercial Fishing – Licensing**

FOR the purpose of altering the annual fees and surcharges for certain commercial fishing licenses and authorizations; requiring that tidal fish licensees with



certain authorizations obtain a harvester registration from the Department of Natural Resources; establishing a certain annual fee for the harvester registration; establishing that the harvester registration is nontransferable; authorizing the Department to issue a permit to commercially harvest certain fish species, subject to certain annual fees; authorizing the Department to adopt regulations establishing a permit to commercially harvest certain other fish species, subject to a certain maximum annual fee; repealing a provision of law authorizing a tidal fish licensee to catch striped bass for sale on payment of a certain annual surcharge; altering the amount of a certain annual surcharge for seafood marketing programs assessed on tidal fish licensees; exempting certain nonresident tidal fish licensees from a certain required annual surcharge; requiring the Department to accept applications for certain commercial fish license authorizations and to maintain a waiting list of candidates for each fishing activity in a certain order; repealing provisions of law that authorize the Department to establish and issue a commercial fishing apprenticeship permit, accept applications and annual fees for the permit, issue a certain license to a person who has completed an apprenticeship, adopt certain regulations related to the criteria required for an apprenticeship permit, and otherwise administer a commercial fishing apprenticeship permit process; authorizing a tidal fish licensee to renew a harvester registration annually; repealing a certain provision of law authorizing certain tidal fish license conversions; requiring certain licensees to possess a harvester registration when engaged in certain commercial fishing activity; altering certain standards for determining when a person is required to obtain a seafood dealer authorization; requiring certain persons to obtain a bait harvester permit under certain circumstances; establishing an annual fee for a bait harvester permit; requiring a licensee to provide the Department certain notification and pay a certain pound net activity registration fee in a certain time frame before setting a pound net; authorizing the Governor annually to include a certain appropriation in the State budget for a certain purpose; providing for certain corrections of cross-references and terminology; clarifying certain language; and generally relating to commercial fishing licensing.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 4–701, 4–702, and 4–711(i)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing  
Article – Natural Resources  
Section 4–701.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, without amendments,  
Article – Natural Resources

Section 4–711(a), (b), and (h)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to

Article – Natural Resources  
Section 4–711(i)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 663 – Senator Conway**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Camp Woodlands Teepee Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of Girl Scouts of Central Maryland, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 664 – Senators Kittleman, Brinkley, and Colburn**

AN ACT concerning

**Procurement – Prevailing Wage Rate Law – Repeal**

FOR the purpose of repealing provisions of law regarding prevailing wage rates for public work contracts; repealing provisions limiting the application of the prevailing wage rates to a public work contract greater than a certain amount or a part of a public work contract that is required to comply with the prevailing wage rate determined by the United States Secretary of Labor; repealing the provisions of law regarding the Advisory Council on Prevailing Wage Rates in the Division of Labor and Industry in the Department of Labor, Licensing, and Regulation; repealing the provision of law that requires a contractor or subcontractor under a public work contract to employ only certain workers and apprentices; repealing the provision of law that prohibits a contractor or subcontractor under a public work contract from employing certain helpers and

trainees; repealing the provision of law that authorizes a contractor or subcontractor under a public work contract to refuse to employ a certain worker who is a resident of another state under certain circumstances; repealing the requirement that the Commissioner of Labor and Industry adopt prevailing wage rates for straight time and overtime for each classification of worker engaged in work of the same or similar character; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct certain cross-references and terminology rendered incorrect by this Act; and generally relating to repeal of the prevailing wage rate law.

BY repealing

Article – State Finance and Procurement

Section 17–201 through 17–205, 17–208 through 17–216, and 17–219 through 17–226 and the subtitle “Subtitle 2. Prevailing Wage Rates – Public Work Contracts”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 665 – Senator Kittleman**

AN ACT concerning

#### **Public Ethics Laws – Meals – Regulated Lobbyist Reporting Requirements**

FOR the purpose of requiring a regulated lobbyist that invites certain members of the General Assembly to a meal during the legislative session to file a certain report with the State Ethics Commission by a certain date each year disclosing the names of certain members of the General Assembly who consumed food and beverages at the meal; providing for the contents of the report; and generally relating to regulated lobbyist reporting requirements.

BY repealing and reenacting, without amendments,

Article – State Government

Section 15–102(a) and (w) and 15–708

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 15–704

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 666 – Senators Kittleman and Colburn**

AN ACT concerning

**Procurement – Required Clauses – Project Labor Agreement Prohibition**

FOR the purpose of requiring State procurement contracts to include a clause prohibiting certain parties from participating in certain project labor agreements; and generally relating to project labor agreements and State procurement contracts.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 13–218  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 667 – Senators Kittleman, Brinkley, and Colburn**

AN ACT concerning

**Procurement – Prevailing Wage – School Construction**

FOR the purpose of increasing to a certain amount the percentage of State money that must be used in an elementary or a secondary school construction project before the Prevailing Wage Law applies; altering certain definitions; and generally relating to the application of the Prevailing Wage Law to elementary or secondary school construction.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–201(a), 17–210(a) and (c), and 17–214  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–201(i) and (j)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 668 – Senators Kittleman, Brinkley, and Colburn**

AN ACT concerning

**Labor and Employment – Right to Work**

FOR the purpose of prohibiting an employer from refusing to employ or continuing to employ an individual based on membership or nonmembership in a labor organization; prohibiting an employer from requiring an individual to refrain from joining or from requiring an individual to become a member of a labor organization; prohibiting an employer from requiring an individual to pay certain charges to a labor organization; providing a civil cause of action for an individual who is denied employment, required to refrain from joining or required to become a member of a labor organization, or required to pay dues, fees, or other charges to a labor organization in violation of this Act; authorizing the recovery of certain damages and costs; authorizing the Attorney General to bring a certain civil action; providing that certain provisions of this Act do not affect certain remedies or rights; establishing the purpose of this Act; defining the term “employer” for purposes of this Act; providing for the application of this Act; and generally relating to certain rights of individuals, employee organizations, and employers.

BY adding to

Article – Labor and Employment

Section 4–701 through 4–706 to be under the new subtitle “Subtitle 7. Right to Work”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 669 – Senators Kittleman, Brochin, Colburn, Currie, Edwards, and Garagiola**

AN ACT concerning

**Corporate Income Tax – Rate Reduction**

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations over a certain period of time; and generally relating to the Maryland corporate income tax.

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–105(b)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 670 – Senators Kittleman and Edwards**

AN ACT concerning

**Corporate Income Tax – Rate Reduction**

FOR the purpose of altering the State income tax rate on the Maryland taxable income of corporations; providing for the application of this Act; and generally relating to the Maryland corporate income tax.

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–105(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 671 – Senator Conway**

AN ACT concerning

**Land Use – Local Comprehensive Planning and Zoning Cycle**

FOR the purpose of requiring that, in certain years, a certain annual planning report contain a narrative on the implementation status of a certain comprehensive plan; increasing the time period of the comprehensive planning and zoning cycles of certain local jurisdictions to better coincide with the release of United States decennial census data; requiring the Department of Planning along with the Maryland Association of Counties and the Maryland Municipal League to create a certain transition schedule to increase the time period of the comprehensive planning cycle of certain local jurisdictions that adopt a comprehensive plan; requiring a certain transition schedule to coincide, to the extent practicable, with the release of United States decennial census data; requiring a certain transition schedule to allow, to the extent practicable, a local jurisdiction to access certain data at the beginning of the comprehensive plan review process; requiring the Department to submit a proposed transition schedule to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee on or before a certain date; making conforming changes; and generally relating to the comprehensive planning and zoning cycles of local jurisdictions.

BY repealing and reenacting, with amendments,

Article – Land Use

Section 1–207, 1–416, 1–417, 1–509, 3–301, and 3–303

Annotated Code of Maryland

(2012 Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 672 – Senator Conway (Chair, Education, Health, and Environmental Affairs Committee)**

EMERGENCY BILL

AN ACT concerning

**State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation**

FOR the purpose of continuing the State Board of Physicians and certain allied health advisory committees in accordance with the provisions of the Maryland Program Evaluation Act (Sunset Law) by extending to a certain date the termination provisions relating to the statutory and regulatory authority of the Board and the committees; requiring that an evaluation of the Board and the related allied health advisory committees and the statutes and regulations of the Board and the related allied health advisory committees be performed on or before a certain date; altering to a certain date the termination provision related to the Perfusion Advisory Committee; stating the policy of the State regarding the regulation and control of health occupations in the State; stating that the health occupation boards are created to function in a certain way with a certain intent; altering the membership of the Board; altering the powers and duties of the Board; repealing a certain provision of law regarding entry onto private premises for a certain purpose; authorizing the Board's executive director to apply for a certain search warrant under certain circumstances; requiring the application for the warrant to meet certain requirements; authorizing a judge who receives a certain search warrant application to issue a warrant under certain circumstances; requiring a certain search warrant to include certain information and be executed and returned to a certain individual within a certain period of time; clarifying that certain fees charged by the Board, which must be set so as to approximate the cost of maintaining the Board, include the cost of providing a certain rehabilitation program; establishing certain disciplinary panels through which certain allegations must be resolved; requiring the chair of the Board to assign each member of the Board to one of the disciplinary panels; providing for the composition and chairs of the disciplinary panels; authorizing the chair of the Board to serve as an ex-officio member of a certain disciplinary panel; specifying the quorum of a disciplinary panel; authorizing a disciplinary panel to conduct a certain

investigation; requiring a disciplinary panel to determine the final disposition of a complaint against a physician or an allied health professional, except under certain circumstances; providing that each disciplinary panel has the independent authority to make a final determination regarding a certain matter; prohibiting the Board from voting to approve or disapprove an action of a disciplinary panel; requiring a disciplinary panel to consult with the chair of a certain allied health advisory committee, or the chair's designee, under certain circumstances; requiring a complaint to be assigned to a disciplinary panel after the completion of a certain investigation by the Board; authorizing a disciplinary panel to enter into a consent order with a physician or an allied health professional after conducting a certain meeting; requiring the chair of a certain disciplinary panel to refer a complaint to the other disciplinary panel under certain circumstances; prohibiting a certain disciplinary panel, or its members, from continuing to handle or participating in disciplinary proceedings regarding a complaint under certain circumstances; authorizing a disciplinary panel, instead of the Board, to take certain action regarding a complaint or come to a certain agreement with a licensee; requiring a disciplinary panel, instead of the Board, to refer certain allegations to a certain entity for peer review; requiring a disciplinary panel, instead of the Board, to obtain a certain number of peer review reports for certain allegations; requiring a disciplinary panel, instead of the Board, to offer certain complainants and licensees an opportunity to mediate certain disputes; authorizing a disciplinary panel, instead of the Board, to determine, for certain allegations, that an agreement for corrective action is warranted; requiring a disciplinary panel, instead of the Board, to notify certain licensees of identified deficiencies and enter into a certain corrective action; prohibiting a disciplinary panel, instead of the Board, from entering into an agreement for corrective action under certain circumstances; requiring a disciplinary panel, instead of the Board, to evaluate licensees with whom the disciplinary panel has entered into an agreement for corrective action and to take certain action under certain circumstances; requiring a disciplinary panel to provide certain individuals an opportunity to appear before the disciplinary panel under certain circumstances; authorizing a disciplinary panel, instead of the Board, to take certain disciplinary action against a physician or allied health professional under certain circumstances; clarifying that an affirmative vote of the majority of the quorum of the Board or of the quorum of a disciplinary panel is required before the Board or the disciplinary panel takes certain action; requiring a disciplinary panel, instead of the Board, to take certain disciplinary action against a certain physician or allied health professional under certain circumstances; prohibiting a disciplinary panel, instead of the Board, from taking disciplinary action against a certain physician under certain circumstances; requiring a disciplinary panel, instead of the Board, to give a certain individual an opportunity for a certain hearing; requiring a disciplinary panel, instead of the Board, to pass an order under certain circumstances; authorizing a disciplinary panel, instead of the Board, to reinstate certain licenses under certain circumstances; requiring a disciplinary panel to notify the Board of certain license reinstatements; providing that proceedings, records, and files of a disciplinary panel are not



discoverable or admissible in certain actions except under certain circumstances; prohibiting a disciplinary panel from disclosing information in a record except under certain circumstances; requiring the Board to disclose the filing of charges and initial denials of licensure on the Board's Web site; requiring a disciplinary panel to disclose certain information in a record under certain circumstances; requiring certain licensee profiles to include a summary of charges filed against the licensee, including a copy of the charging document, under certain circumstances; requiring that licensee profiles include a certain disclaimer; requiring the Board to include certain information on a licensee's profile within a certain time period; requiring that a certain report that certain entities are required to file with the Board include a certain statement under certain circumstances; authorizing the Board to impose a certain civil penalty on an alternative health system that fails to file a certain report; requiring the Board to remit a certain penalty to the General Fund of the State; repealing the requirement that a circuit court of the State impose a civil penalty on an alternative health system that fails to file a certain report; requiring a certain court reporting requirement to be enforced by the imposition of a certain civil penalty; authorizing a disciplinary panel, instead of the Board, to take certain action against a physician who performs acupuncture under certain circumstances; requiring the chairs of certain committees, or the chairs' designees, to serve in an advisory capacity to the Board; requiring certain committees to submit an annual report to the Board; requiring the Board to consider all recommendations of certain committees and annually provide a certain report to the committees; requiring the Board to create and maintain a certain profile on certain licensees; requiring the profiles to contain certain information; requiring the Board to forward a written copy of certain profiles to a person under certain circumstances; requiring the Board to maintain certain profiles on the Board's Web site; requiring the Board to provide a mechanism for correcting factual inaccuracies in certain profiles; requiring the Polysomnography Professional Standards Committee to elect a chair every certain number of years; repealing the requirement that the Board provide a certain explanation to the Physician Assistant Advisory Committee; repealing the requirement that the Board assess a certain fee under certain circumstances; requiring the Board to submit a certain report to certain committees of the General Assembly and the Department of Legislative Services on or before a certain date and annually thereafter for a certain period of time; exempting the Board and the related allied health advisory committees from certain provisions of law requiring a certain preliminary evaluation; making this Act an emergency measure; defining certain terms; making certain conforming, stylistic, and technical changes; and generally relating to the State Board of Physicians and the related allied health advisory committees.

BY adding to

Article – Health Occupations

Section 1-102, 14-101(a-1) and (c-1), 14-206.1, 14-401, 14-416, 14-5A-18.1, 14-5B-15.1, 14-5C-06(d), 14-5C-18.1, 14-5D-16.1, 14-5E-18.1, 15-101(i-1), and 15-316.1

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 14–101(a) and 15–101(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–101(m), 14–202(a), 14–205, 14–206(d)(1), 14–207(b), 14–401, 14–403 through 14–405.1, 14–406, 14–407(a), 14–408, 14–409(a), 14–410, 14–411(a), (b), (d)(1)(ii), (i), (j)(2)(i), (l)(2), (m), (r), and (s), 14–411.1(b), (c)(2), and (f), 14–413, 14–414, 14–504(g), 14–506(b)(2), 14–5A–04(a), 14–5A–06(d), 14–5A–07, 14–5A–16, 14–5A–17, 14–5A–17.1, 14–5A–18(f), 14–5A–19, 14–5A–25, 14–5B–04(a), 14–5B–05(c), 14–5B–06, 14–5B–13, 14–5B–14, 14–5B–14.1, 14–5B–15(f), 14–5B–16, 14–5B–21, 14–5C–04(a), 14–5C–07, 14–5C–16, 14–5C–17, 14–5C–18(f), 14–5C–19, 14–5C–25, 14–5D–03(a), 14–5D–05(e), 14–5D–06, 14–5D–14, 14–5D–15, 14–5D–16, 14–5D–20, 14–5E–04(a), 14–5E–06(d), 14–5E–07, 14–5E–15, 14–5E–16, 14–5E–18(f), 14–5E–19, 14–5E–25, 14–603, 14–702, 15–103(h), 15–202(d) and (e), 15–205, 15–206(a), 15–302(g), 15–312, 15–314 through 15–316, and 15–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Health Occupations  
Section 15–310(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 8–403(b)(6), (45), (48), (49), (53), (59), and (63)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 673 – Senators Conway and Raskin**

AN ACT concerning

**Referendum Integrity Act**

FOR the purpose of requiring a petition signature page to contain a certain notification and be completed on a certain form; altering the information an individual must provide to sign a petition; establishing certain requirements for an online petition system; establishing certain requirements for petition circulators; requiring that a certain determination of whether a petition has a sufficient number of signatures be made in a certain manner; providing that a petition may not be certified if certain campaign finance reports have not been filed; repealing a requirement that a certain petition fund report be filed with a petition; providing that contributions or expenditures to support the collection of signatures for certain petitions are campaign finance activity; prohibiting a person from collecting signatures for certain petitions until the person establishes a ballot issue committee; providing that a ballot issue committee may make expenditures relating only to a single petition or ballot issue; requiring a ballot issue committee established to support the collection of signatures for certain petitions to file campaign finance reports on certain dates; requiring a ballot issue committee to terminate and file a final campaign finance report by a certain date; prohibiting a person from providing compensation to a petition circulator based on the number of signatures collected; prohibiting a petition circulator from accepting compensation based on the number of signatures collected; prohibiting a person from using information provided on a petition for commercial solicitation; prohibiting the use of a petition to update a voter's registration record; altering certain definitions; making conforming changes; and generally relating to requirements of the petition process.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101(f), (o), (aa), and (ff), 3–502(b), 6–201, 6–203, 6–204, 6–206, 6–208, 7–104(c), 13–202, 13–208(c), 13–309, and 16–401

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law

Section 6–103 and 13–208(a) and (b)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 13–245.1 and 13–310.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 674 – Senators Edwards and Mathias**

AN ACT concerning

**Employees' Pension System – Elected or Appointed Officials – Optional Membership**

FOR the purpose of providing that certain elected or appointed officials whose employers are participating employers of the State Retirement and Pension System may elect to join the Employees' Pension System within a certain period of time; providing that certain elected or appointed officials whose employers are participating employers of the State Retirement and Pension System may elect to cease membership in the Employees' Pension System within a certain period of time; requiring certain elected or appointed officials who make an election to join or an election to cease membership to complete a certain form and file it with the Board of Trustees for the State Retirement and Pension System; providing that certain elected or appointed officials who do not make an election to join within a certain period of time may not join the Employees' Pension System; providing that certain elected or appointed officials who do not make an election to cease membership within a certain period of time remain members in the Employees' Pension System; requiring the Board of Trustees to adopt certain regulations; defining a certain term; and generally relating to optional membership for elected or appointed officials in the Employees' Pension System.

BY adding to

Article – State Personnel and Pensions

Section 23–204.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 675 – Senators Manno, Benson, Forehand, Frosh, Montgomery, Pinsky, and Young**

AN ACT concerning

**Maryland Pesticide Reporting and Information Act**

FOR the purpose of requiring the Department of Agriculture to adopt certain regulations regarding reporting on the use, release, sale, and purchase of certain pesticides; requiring certain persons that use, release, sell, or purchase certain pesticides to submit certain reports to the Department; requiring the reports to contain certain information; requiring certain restricted–use pesticide reports to be submitted at least semi–annually in a manner required by the

Department; requiring certain pesticide reports to be submitted annually beginning on a certain date; requiring the Department to establish the format of the reports; requiring the Department to adopt regulations for standard naming conventions for certain chemicals and products; requiring a person that withholds certain information from a certain report to notify the Department and provide a certain explanation; establishing that this Act does not relieve a person from certain reporting requirements under federal, State, or local laws; authorizing the Department to inspect certain records; requiring certain records to be made available to the Department for inspection at a certain time; requiring the Department to provide notice of a certain inspection of records to a certain person; requiring the Department to serve as the repository for certain records; authorizing the Department to delegate certain data management functions; authorizing the Department to share data management resources with other State departments; requiring the Department to establish a system, including an electronic reporting system for the submission of reports; requiring the online electronic reporting system to allow certain information to be reported; authorizing the Department to establish a certain policy regarding electronic reporting; authorizing the Department to adopt regulations regarding the public availability of certain information; requiring the Department to adopt regulations to ensure that certain data will not result in the association of the data with a certain person; requiring the Department to adopt regulations to protect the identity of certain persons; limiting access to certain reports to certain persons; prohibiting access to certain reports unless certain requirements are met; requiring the availability of certain administrative and judicial review under certain circumstances; creating a Pesticide Use and Release Fund; providing for the administration of the Fund; requiring the Fund to be used for certain purposes; requiring the Fund to have an annual revenue target; requiring the Department to set the revenue target and adjust the target based on certain conditions; requiring certain penalties and fees to be deposited into the Fund; requiring the Department to place a certain surcharge on certain fees; requiring the surcharge fees to be deposited into the Fund; requiring the surcharge fees to be used for a certain purpose; prohibiting the violation of this Act; establishing the penalties for certain violations; providing for the enforcement of this Act; requiring the Department to establish a tracking system for certain pesticide purchases; defining certain terms; declaring certain findings of the General Assembly; and generally relating to pesticide use and release reporting.

BY repealing and reenacting, without amendments,

Article – Agriculture

Section 5–101(g), 5–105, and 5–201(a), (c), (g), (j), (l), and (r)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

BY adding to

Article – Agriculture

Section 5–2A–01 through 5–2A–21 to be under the new subtitle “Subtitle 2A.  
Use, Release, Sale, and Purchase of Pesticides”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and  
Environmental Affairs.

**Senate Bill 676 – Senator Pugh (Commission on Maryland Cybersecurity  
Innovation and Excellence)**

AN ACT concerning

**Governmental Procedures – Security and Protection of Information**

FOR the purpose of requiring a certain unit, when destroying a resident’s records that contain certain personal or private information of the resident, to take certain steps to protect against the unauthorized acquisition or use of the personal or private information under certain circumstances; requiring certain units that collect certain personal or private information of a resident to implement and maintain certain security procedures and practices under certain circumstances; requiring certain units that collect or maintain computerized data that include certain personal or private information of a resident to conduct a certain investigation under certain circumstances and notify certain persons of a breach of the security of a system under certain circumstances; specifying the time at which notification must be given; specifying the contents of the notification; authorizing notification to be given in a certain manner; requiring certain units to retain certain records for a certain period of time under certain circumstances; providing that a waiver of certain provisions of this Act is contrary to public policy and is void and unenforceable; providing that compliance with certain provisions of this Act does not relieve a certain unit from a duty to comply with certain other requirements of federal law; providing that the provisions of this Act are exclusive and shall preempt any provision of local law; requiring a unit to report to certain consumer reporting agencies on the breach of the security of a system under certain circumstances; requiring a unit to provide notice of a breach of the security of a system to the Office of Attorney General and the Department of Information Technology under certain circumstances; establishing a private right of action for a resident affected by a violation of this Act; requiring the Department, in consultation with the Office of the Attorney General and the Department of Budget and Management, to adopt certain rules and regulations; defining certain terms; providing for the applicability of a certain provision of this Act; and generally relating to the protection of information collected by units or included in computerized data that is collected and maintained by units.

BY adding to  
Article – State Government

Section 10–1301 through 10–1309 to be under the new subtitle “Subtitle 13.  
Protection of Information by Government Agencies”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and  
Environmental Affairs.

**Senate Bill 677 – Senator Pugh**

AN ACT concerning

**Collective Bargaining – State Labor Relations Board and State Higher  
Education Labor Relations Board – Enforcement Authority**

FOR the purpose of requiring the State Labor Relations Board and the State Higher Education Labor Relations Board to decide certain controversies and disputes; providing that certain decisions of the boards shall be the exclusive and final administrative decisions; authorizing the boards to order a respondent to make certain payments to a complainant under certain circumstances; authorizing the boards to bring a certain action to enforce a certain order under certain provisions of law and in a certain court; repealing certain provisions of law relating to the boards’ authority to petition a circuit court to order a person to comply with a certain order; and generally relating to collective bargaining and the enforcement authority of the State Labor Relations Board and the State Higher Education Labor Relations Board.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 3–207 and 3–2A–07  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing  
Article – State Personnel and Pensions  
Section 3–209 and 3–2A–09  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 678 – Senator Pugh**

AN ACT concerning

**Juvenile Services – Community–Based Diversion Pilot Program**

FOR the purpose of requiring the Secretary of Juvenile Services to develop a Community–Based Diversion Pilot Program; requiring the Secretary to consult with representatives from the Annie E. Casey Foundation when developing the Pilot Program; establishing the purpose of the Pilot Program; requiring the Secretary to establish a certain juvenile day–treatment center in Baltimore City, require certain juveniles to report daily to the treatment center, establish certain community monitoring, hire certain counselors, and work with appropriate agencies for a certain purpose; requiring the Secretary to hire certain counselors when possible; requiring the Secretary to collect certain data and report annually to the General Assembly; authorizing the Secretary to adopt certain regulations; and generally relating to the Community–Based Diversion Pilot Program.

BY adding to

Article – Human Services

Section 9–247

Annotated Code of Maryland

(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 679 – Senators Pugh and Jones–Rodwell**

AN ACT concerning

#### **Virginia I. Jones Alzheimer’s Disease and Related Disorders Council**

FOR the purpose of establishing the Virginia I. Jones Alzheimer’s Disease and Related Disorders Council; providing for the membership of the Council; requiring the Secretary of Health and Mental Hygiene and the Secretary of Aging to cochair the Council; requiring the Department of Health and Mental Hygiene to provide staff support for the Council; authorizing the Department to request certain staffing assistance; providing that a member of the Council may not receive certain compensation but is entitled to certain reimbursement; providing for the duties of the Council; defining a certain term; and generally relating to the Virginia I. Jones Alzheimer’s Disease and Related Disorders Council.

BY adding to

Article – Health – General

Section 13–3101 through 13–3106 to be under the new subtitle “Subtitle 31.

Virginia I. Jones Alzheimer’s Disease and Related Disorders Council”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.



**Senate Bill 680 – Senator Klausmeier**

AN ACT concerning

**Health Insurance Carriers – Prompt Payment of Claims – Workers’  
Compensation Claims**

FOR the purpose of requiring an insurer, a nonprofit health service plan, or a health maintenance organization to comply with certain prompt payment requirements, notwithstanding that the determination of compensability under a workers’ compensation claim is pending; authorizing an insurer, a nonprofit health service plan, or a health maintenance organization to seek reimbursement for certain payments, after a workers’ compensation claim is determined to be compensable, from a member, member’s employer, or certain workers’ compensation insurer; limiting the amount of reimbursement an insurer, a nonprofit health service plan, or a health maintenance organization may seek under certain circumstances; prohibiting an insurer, a nonprofit health service plan, or a health maintenance organization from seeking reimbursement from a member for certain interest payments; requiring a member to notify, for a certain purpose, an insurer, a nonprofit health service plan, or a health maintenance organization of the filing of a workers’ compensation claim within a certain period of time after the claim is filed; requiring a member to notify, for a certain purpose, a certain employer or certain workers’ compensation insurer of certain payments made to a provider; requiring a member, member’s employer, or certain workers’ compensation insurer to make payment of certain required reimbursement within a certain period of time; and generally relating to prompt payment of claims by insurers, nonprofit health service plans, and health maintenance organizations and workers’ compensation claims.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 15–1005  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 681 – Senators Klausmeier, Middleton, Astle, Kelley, Kittleman,  
and Pipkin**

AN ACT concerning

**Workers’ Compensation – Medical Presumptions – Statute of Limitations on  
Claims**

FOR the purpose of altering the date by which a medical expert is required to conduct a certain study and report the findings of the study to the Department of Legislative Services; delaying the date by which a claim filed for an occupational disease may be based on alterations to a certain presumption; delaying the date by which alterations to a certain presumption may be construed to apply for a claim filed for an occupational disease; tolling the statute of limitations for a covered employee for a certain period of time under certain circumstances; and generally relating to occupational disease claims.

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–503(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)  
(As enacted by Chapter 445 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, without amendments,  
Article – Labor and Employment  
Section 9–711  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 445 of the Acts of the General Assembly of 2012  
Section 2, 4, 5, and 6

BY adding to  
Chapter 445 of the Acts of the General Assembly of 2012  
Section 4

Read the first time and referred to the Committee on Finance.

### **Senate Bill 682 – Senators Klausmeier and Middleton**

AN ACT concerning

#### **Portable Electronics Insurance – Compensation of Employees of Vendor – Disclosures to Customers**

FOR the purpose of providing that a vendor of portable electronics insurance or an authorized representative of the vendor may compensate employees of the vendor or an authorized representative in a certain manner; altering the content of certain disclosures that a vendor of portable electronics insurance must provide to customers under certain circumstances; and generally relating to portable electronics insurance.

BY repealing and reenacting, with amendments,

Article – Insurance  
Section 10–703(e) and 10–705(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 683 – Senators Garagiola, Benson, Conway, Currie, Ferguson, Forehand, Frosh, Gladden, Jones–Rodwell, Kelley, King, Madaleno, Manno, McFadden, Montgomery, Muse, Peters, Pinsky, Pugh, Ramirez, Raskin, Robey, Rosapepe, Stone, and Young**

AN ACT concerning

**Labor and Employment – Maryland Wage and Hour Law – Payment of Wages**

FOR the purpose of specifying the amount of the State minimum wage rate that is in effect for certain time periods; requiring the Commissioner of Labor and Industry to set the rate in a certain manner on or after a certain date or under certain circumstances; requiring that the Commissioner publish the rate in the Maryland Register on or before a certain date each year; repealing the exemption from the Maryland Wage and Hour Law for certain individuals; repealing the exemption from a certain provision of law related to the payment of overtime wages for certain employers; altering the percentage of the minimum wage rate that may be included by an employer as a tip credit amount as part of an employee’s wage; altering the number of hours to be used by certain employers to compute overtime wages for certain employees; repealing the authorization for certain employers to use a certain number of hours to compute overtime wages for certain employees; authorizing an employee, under certain circumstances, to bring an action against the employer for certain damages, fees, and costs; requiring a court, under certain circumstances, to make a certain award to an employee; requiring, rather than authorizing, a court, under certain circumstances, to award an employee certain fees and costs; and generally relating to the payment of wages under the Maryland Wage and Hour Law.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 3–403, 3–413, 3–415, 3–419, 3–420, and 3–427  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 684 – Senators Garagiola, Ferguson, Klausmeier, Montgomery, Pinsky, Ramirez, Raskin, and Young**

AN ACT concerning

**Renewable Energy Portfolio Standard – Qualifying Biomass**

FOR the purpose of limiting the eligibility of qualifying biomass as a Tier 1 renewable source for the purposes of the renewable energy portfolio standard to qualifying biomass used at a generation unit that started commercial operation on or after a certain date and that achieves a certain total system efficiency; providing that qualifying biomass used at a certain generation unit that started commercial operation on or before a certain date or that achieves not more than a certain percentage of total system efficiency is eligible as a Tier 2 renewable source; providing for the application of this Act; defining certain terms; and generally relating to the renewable portfolio standard for qualifying biomass.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–701 and 7–704(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 685 – Senator Garagiola**

AN ACT concerning

**Public Safety – Law Enforcement Officers’ Bill of Rights – Washington  
Metropolitan Area Transit Authority Metro Transit Police**

FOR the purpose of altering a certain definition to make certain provisions of law relating to the rights of law enforcement officers applicable to a law enforcement officer who is a member of the Washington Metropolitan Area Transit Authority Metro Transit Police; making conforming changes; and generally relating to the Washington Metropolitan Area Transit Authority Metro Transit Police and the Law Enforcement Officers’ Bill of Rights.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–201(c)  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 3–101(e)(1)(ii)24. and 25.  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Public Safety  
Section 3–101(e)(1)(ii)26.  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 686 – Senator Garagiola**

AN ACT concerning

**Family Investment Program – Earned Income Disregard Pilot Program**

FOR the purpose of establishing an Earned Income Disregard Pilot Program within the Family Investment Program; requiring the Department of Human Resources to select a certain number of counties for participation in the Pilot Program; requiring a county that participates in the Pilot Program to administer benefits under the Family Investment Program in a certain manner; altering the amount of the earned income that is disregarded for the purpose of determining the amount of assistance an individual may receive under the Pilot Program; requiring the Department to collect and report certain information to certain committees of the General Assembly by certain dates; requiring the Department to adopt certain regulations; defining a certain term; providing for the termination of this Act; and generally relating to the Earned Income Disregard Pilot Program under the Family Investment Program.

BY repealing and reenacting, without amendments,

Article – Human Services  
Section 5–301(b) and 5–310(a)  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

BY adding to

Article – Human Services  
Section 5–310.1  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 687 – Senator Garagiola**

AN ACT concerning

**Limited Lines – Travel Insurance**

FOR the purpose of amending certain provisions on limited lines insurance for transportation tickets to relate instead to limited lines travel insurance; authorizing the Maryland Insurance Commissioner to issue a limited lines license to an individual or business entity to sell travel insurance; authorizing a travel retailer to offer and disseminate travel insurance under certain circumstances under the direction of a limited lines travel insurance producer; requiring a limited lines travel insurance producer or travel retailer to provide certain information to purchasers of travel insurance; requiring a limited lines travel insurance producer to establish and maintain a certain register containing certain information subject to inspection by the Commissioner; requiring a limited lines travel insurance producer to designate a certain employee as a responsible person for certain purposes; requiring certain persons to comply with certain requirements of State insurance law; requiring a limited lines travel insurance producer to be in good standing; requiring a limited lines travel insurance producer to require certain travel retailer employees to receive certain instruction or training, with certain required content; requiring a travel retailer to make available to prospective purchasers certain information concerning travel insurance and producers; prohibiting certain unlicensed employees of a travel retailer from evaluating or providing certain advice concerning travel insurance or holding themselves out as qualified in certain manners; authorizing certain travel retailers to be compensated in a certain manner notwithstanding other law; authorizing certain persons to compensate certain employees of a travel retailer or authorized representative in a certain manner; providing that a limited lines travel insurance producer is responsible for the acts of a travel retailer; requiring a limited lines travel insurance producer to use reasonable means to ensure certain compliance with this Act; altering a prohibition on payment of certain commissions or other consideration with respect to limited lines insurance; defining certain terms; and generally relating to travel and limited lines insurance.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 10–101, 10–122, and 10–130  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 688 – Senator Jacobs**

AN ACT concerning

#### **State Government – Access to Public Records – Firearm Ownership Records**

FOR the purpose of requiring a custodian to deny inspection of a certain record indicating ownership of a firearm; requiring a custodian to permit inspection of

certain records by a certain person; and generally relating to public inspection of firearm ownership records.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–616(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Government  
Section 10–616(v)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 689 – Senators Montgomery, Benson, Forehand, and Garagiola**

AN ACT concerning

**Property Tax Credit – Retail Service Stations – Alternate Power Sources**

FOR the purpose of requiring the governing body of a county or municipal corporation to grant a certain property tax credit for alternate power sources at retail service stations; establishing when the tax credit may be granted; establishing the amount of the tax credit; defining certain terms; providing for the application of this Act; and generally relating to a property tax credit for alternate power sources at retail service stations.

BY adding to  
Article – Tax – Property  
Section 9–110  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 690 – Senator Montgomery**

AN ACT concerning

**Maryland Board of Physicians – Failure to Renew a License or  
Misrepresentation as a Licensed Person – Penalties**

FOR the purpose of altering the penalties to which a person is subject if the person fails to renew a license to practice medicine or misrepresents to the public that

the person is authorized to practice medicine in the State; and generally relating to penalties for violations of laws governing the practice of medicine in the State.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 14–601, 14–602, and 14–606(a)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–606(a)(4) and (5)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 691 – Senators Montgomery and Benson**

AN ACT concerning

**Education – Due Process Hearings for Children with Disabilities – Burden of Proof**

FOR the purpose of requiring certain public agencies to bear a certain burden of proof in due process hearings that are held to resolve a dispute relating to the provision of a free appropriate public education to children with disabilities; and generally relating to the burden of proof in certain due process hearings.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 8–413  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 692 – Senators Montgomery, Benson, Forehand, Kasemeyer, and Peters**

AN ACT concerning

**Licensed Tree Expert – License Renewal – Continuing Education Requirement**



FOR the purpose of requiring a licensed tree expert to complete certain continuing education requirements to qualify for license renewal; requiring the Department of Natural Resources to maintain certain records for each licensed tree expert; requiring the Department to update certain records when a document of completion is approved; requiring the Department to mail a renewal application form to a licensed tree expert under certain circumstances; requiring the Department to approve the curriculum for a continuing education course if the curriculum covers certain information; requiring the Department to approve the curriculum for a course before the course may be advertised as a course eligible for continuing education instruction; requiring an entity to submit the course curriculum to the Department for approval within a certain period of time; stating that a continuing education course does not need to be conducted in the State to be approved by the Department; requiring an entity conducting a continuing education course or the course instructor to submit a document of completion to the Department or to a licensed tree expert as evidence that the licensed tree expert has completed the continuing education course; requiring the document of completion to include certain information; requiring a licensed tree expert to submit certain information to the Department under certain circumstances; authorizing a licensed tree expert to take a certain examination by a certain date to renew a license if the licensed tree expert does not meet certain requirements; stating that a licensed tree expert's renewal is not valid unless the licensed tree expert has met certain requirements; requiring the Department to adopt certain regulations; and generally relating to continuing education requirements for licensed tree experts.

BY adding to

Article – Natural Resources  
Section 5–420.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 693 – Senators Montgomery, Benson, Colburn, Middleton, and Young**

AN ACT concerning

**Health – Certified Nurse–Midwives and Freestanding Birthing Centers –  
Certificate of Need and Practice Privileges**

FOR the purpose of exempting certain freestanding birthing centers from the requirement to have a certificate of need to operate; requiring certain nurse–midwives to meet certain credentialing requirements under certain

circumstances; authorizing certified nurse–midwives to be granted admission privileges at hospitals; prohibiting the State Board of Nursing from requiring certified nurse–midwives to have certain practice protocols for certain purposes with certain physicians; requiring the Board to post and make available certain information regarding a certain scope of practice, certain models of care, and the locations of certain freestanding birthing centers; altering a certain definition; and generally relating to certified nurse–midwives and freestanding birthing centers.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–125 and 19–319(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Health – General  
Section 19–125.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–3B–01(d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–602  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Health Occupations  
Section 8–604  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 694 – Senator Ferguson**

AN ACT concerning

**Public School Teachers – Certification – Continuing Education**

FOR the purpose of requiring certain county boards of education to establish continuing education criteria for certain teachers and to implement a system for verifying completion of certain continuing education requirements; authorizing certain continuing education criteria to include certain courses, roles, activities, preparation, professional development, coaching, advising, or sponsoring; requiring the State Board of Education to monitor the establishment and implementation of certain continuing education requirements; prohibiting the State Board from requiring recertification of certain teachers; and generally relating to continuing education requirements for public school teachers.

BY adding to

Article – Education

Section 6–201.2

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 695 – Senator Ferguson**

AN ACT concerning

**Public Ethics – General Assembly – Employment with Political Subdivisions  
and Public Institutions of Higher Education**

FOR the purpose of authorizing the Joint Committee on Legislative Ethics to grant certain exemptions from a certain employment restriction on a member of, candidate for election to, and member–elect of the General Assembly under certain circumstances; and generally relating to employment restrictions under the Public Ethics Law.

BY repealing and reenacting, with amendments,

Article – State Government

Section 15–513(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 696 – Senator Stone**

AN ACT concerning

**Manufactured Homes – Affixation to Real Property – Liens**

FOR the purpose of altering certain lien information that must be included in certain statements that accompany the recordation of an affidavit of affixation for a manufactured home under certain circumstances; making stylistic changes; defining a certain term; and generally relating to the affixation to real property of manufactured homes.

BY repealing and reenacting, with amendments,  
Article – Real Property  
Section 8B–101, 8B–102(a), and 8B–202(b) and (c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 697 – Senator Raskin**

AN ACT concerning

#### **Corporations and Associations – Conversions**

FOR the purpose of authorizing certain entities to convert to certain other entities; establishing the manner of and procedures for conversions; requiring articles of conversion to be filed for record with the State Department of Assessments and Taxation; specifying the contents of articles of conversion; providing for the effects of a conversion; providing for the timing of the effectiveness of articles of conversion and the effective time for the completion of a conversion; providing for the abandonment of a conversion under certain circumstances; requiring a certain nonrefundable processing fee for articles of conversion; establishing that a stockholder of a Maryland corporation has the right to fair value of the stockholder's stock if the corporation is converted; altering the manner in which certain charter documents must be executed; defining certain terms; altering certain definitions; making certain conforming changes; and generally relating to conversions of certain entities.

BY renumbering

Article – Corporations and Associations

Section 4A–1101 through 4A–1108 and the subtitle “Subtitle 11. Benefit Limited Liability Companies”; 4A–1201 through 4A–1203 and the subtitle “Subtitle 12. Miscellaneous”; 8–701 and the subtitle “Subtitle 7. Penalties”; 8–801 and the subtitle “Subtitle 8. Short Title”; and 9A–1201 through 9A–1205 and the subtitle “Subtitle 12. Miscellaneous Provisions”, respectively

to be Section 4A–1201 through 4A–1208 and the subtitle “Subtitle 12. Benefit Limited Liability Companies”; 4A–1301 through 4A–1303 and the subtitle “Subtitle 13. Miscellaneous”; 8–801 and the subtitle “Subtitle 8. Penalties”; 8–901 and the subtitle “Subtitle 9. Miscellaneous”; and

9A-1301 through 9A-1305 and the subtitle “Subtitle 13. Miscellaneous Provisions”, respectively  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Corporations and Associations  
Section 1-101, 1-203(b)(1), 1-301(a), 3-202(a), 4A-206, 4A-403, and 10-204(a)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Corporations and Associations  
Section 3-901 through 3-907 to be under the new subtitle “Subtitle 9. Conversions of Corporations”; 4A-1101 through 4A-1107 to be under the new subtitle “Subtitle 11. Conversions of Limited Liability Companies”; 8-701 through 8-707 to be under the new subtitle “Subtitle 7. Conversions of Real Estate Investment Trusts”; 9A-1201 through 9A-1207 to be under the new subtitle “Subtitle 12. Conversions of Partnerships”; 10-7A-01 through 10-7A-07 to be under the new subtitle “Subtitle 7A. Conversions of Limited Partnerships”; and Section 12-1001 through 12-1007 to be under the new subtitle “Subtitle 10. Conversions of Statutory Trusts”  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 698 – Senators Garagiola, Madaleno, and Ramirez**

AN ACT concerning

**Labor and Employment – Maryland Earned Sick and Safe Leave Act**

FOR the purpose of requiring certain employers to provide employees with certain earned sick and safe leave; providing for the manner in which earned sick and safe leave is accrued by the employee and treated by the employer; requiring an employer to allow an employee to use earned sick and safe leave for certain purposes; requiring an employee, under certain circumstances, to request leave, notify the employer of certain information, and comply with certain procedures; authorizing an employer to establish, subject to certain limitations, certain procedures for an employee to follow when requesting and taking earned sick and safe leave; authorizing an employer, under certain circumstances, to require an employee to provide certain documentation subject to certain limitations; requiring an employer to notify the employees that the employees are entitled to certain earned sick and safe leave; specifying the information that must be included in the notice; requiring the Commissioner of Labor and

Industry to create and make available a certain poster and notice; providing for the manner in which an employer may comply with a certain notice requirement; establishing certain civil penalties for the violation of certain provisions of this Act; requiring an employer to keep certain records for a certain time period; authorizing the Commissioner under certain circumstances to inspect certain records; establishing a rebuttable presumption that an employer has violated certain provisions of this Act under certain circumstances; providing that a certain rebuttable presumption may be overcome only with certain evidence; authorizing the Commissioner to take certain acts when the Commissioner determines certain provisions of this Act have been violated; authorizing an employee to bring a civil action in a certain court against an employer for a violation of certain provisions of this Act; requiring that a certain action be brought within a certain time period; authorizing a court to award certain damages and fees under certain circumstances; establishing certain prohibited acts; providing for certain criminal penalties; providing that certain protections apply to certain employees; requiring the Commissioner to develop and implement a certain outreach program; authorizing the Commissioner to adopt regulations to carry out certain provisions of this Act; authorizing the Commissioner to conduct an investigation, under certain circumstances, to determine whether certain provisions of this Act have been violated; requiring the Commissioner, except under certain circumstances, to keep certain information confidential; providing for the construction of certain provisions of this Act; defining certain terms; and generally relating to earned sick and safe leave.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 2–106(b)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Labor and Employment  
Section 3–103(f); and 3–1101 through 3–1111 to be under the new subtitle  
“Subtitle 11. Earned Sick and Safe Leave”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 699 – Senators Pinsky, Frosh, Montgomery, and Rosapepe**

AN ACT concerning

**Electricity – Community Energy–Generating Facilities – Pilot Program**

FOR the purpose of establishing a pilot program on community energy-generating facilities under the authority of the Public Service Commission; requiring the Commission to adhere to certain guidelines in conducting the pilot program; authorizing the Commission to assess an administrative fee; stating the effectiveness of contracts entered into during the pilot program; prohibiting the Commission or an electric company from changing the terms of a contract entered into during the pilot program; limiting the amount of electricity that may be generated in certain years of the pilot program; stating when the pilot program will terminate; requiring the Commission to make a certain report to the General Assembly on or before a certain date; authorizing the Commission to adopt consumer protection regulations for the pilot program; requiring the Commission to notify the General Assembly and the Department of Legislative Services when a pilot tariff is adopted under this Act; defining certain terms; stating certain findings of the General Assembly; providing for the termination of this Act; and generally relating to a pilot program for community energy-generating facilities.

BY adding to

Article – Public Utilities

Section 7-306.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 700 – Senators Jones–Rodwell, Madaleno, Forehand, Rosapepe, Benson, Garagiola, Peters, and Ramirez**

AN ACT concerning

**Tobacco Taxes – Healthy Maryland Initiative**

FOR the purpose of requiring a certain level of funding for the Tobacco Use Prevention and Cessation Program; altering the tobacco tax rates on cigarettes and other tobacco products; requiring certain wholesalers of cigarettes and other tobacco products to report the amount of other tobacco products sold on a tobacco tax return; providing that the Tobacco Use Prevention and Cessation Program shall receive funding from the Other Tobacco Products Tax Fund under certain circumstances; requiring the revenue from the tobacco tax on other tobacco products to be deposited into the Other Tobacco Products Tax Fund after certain other distributions; establishing the Other Tobacco Products Tax Fund; establishing the purpose and uses of the Fund; requiring the Comptroller to administer the Fund; providing that certain unspent or unencumbered funds do not revert to the General Fund; specifying that the State Treasurer shall hold the Fund separately and that the Comptroller shall account for the Fund; designating the money to be deposited into the Fund; requiring the money in the Fund to be used to provide funding to the Tobacco Use Prevention and

Cessation Program and certain other health initiatives in a certain manner; requiring the Treasurer to invest the money in the Fund in the same manner as other State money; requiring the investment earnings of the Fund to be deposited into the Fund; providing that money expended from the Fund for the Tobacco Use Prevention and Cessation Program and certain other health initiatives is supplemental; exempting the Fund from a certain requirement that certain interest accrue to the General Fund; making this Act a supplementary appropriation to fund the Tobacco Use Prevention and Cessation Program; providing that the appropriation provided under this Act shall have priority over any other appropriation from the additional revenues resulting from this Act that are credited to the General Fund for a certain fiscal year; defining certain terms; providing for the effective dates of this Act; and generally relating to the taxation of cigarettes and other tobacco products and a supplementary appropriation.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 13–1002(a) and (b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 13–1002(d)(1) and 13–1015  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–1603, 12–105, and 12–202  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)69. and 70.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Finance and Procurement



Section 6–226(a)(2)(ii)71.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 2–1601 and 2–1602  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Tax – General  
Section 2–1602.1; and 12–401 to be under the new subtitle “Subtitle 4. Other  
Tobacco Products Tax Fund”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation and the  
Committee on Finance.

**Senate Bill 701 – Senators Jones–Rodwell, Frosh, Currie, Forehand,  
McFadden, Muse, and Pugh**

AN ACT concerning

**Criminal Records – Shielding – Nonviolent Misdemeanor Convictions**

FOR the purpose of authorizing a person to request that court records and police records relating to a certain conviction be shielded at a certain time; providing that, if a certain person is convicted of a new crime during a certain time period, a certain original conviction is not eligible for shielding unless the new conviction becomes eligible for shielding; requiring the Court of Appeals, by rule, to establish procedures relating to the filing of a certain request for shielding; prohibiting the Maryland Judiciary Case Search from in any way referring to the existence of specific records shielded in accordance with this Act; providing that a conviction that has been shielded in accordance with this Act may not be considered a conviction for certain purposes; prohibiting a person authorized to access a shielded record under this Act from disclosing any information from a shielded record to a person who is not authorized to access shielded records under this Act; prohibiting an employer from requiring a person who applies for employment to disclose certain shielded information at a certain time or discharging or refusing to hire a person solely because the person refused to disclose certain information, with a certain exception; prohibiting an educational institution from requiring a person who applies for admission to the institution to disclose certain shielded information at a certain time or expelling or refusing to admit a person solely because the person refused to disclose certain information; prohibiting a unit, an official, or an employee of

the State or a political subdivision of the State from requiring a person who applies for a license, permit, registration, or governmental service to disclose certain shielded information at a certain time or denying a person's application for a license, permit, registration, or governmental service solely because the person refused to disclose certain information; establishing penalties for a violation of this Act; requiring a certain custodian to deny inspection of criminal records and police records relating to the conviction of a crime that has been shielded under this Act; providing that this Act does not apply to a conviction of a felony or any misdemeanor requiring registration as a sex offender under certain provisions of law; providing that a shielded record shall remain fully accessible by certain persons; defining certain terms; and generally relating to the shielding of court records and police records.

BY adding to

Article – Criminal Procedure

Section 10–301 through 10–306 to be under the new subtitle “Subtitle 3. Shielding”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Government

Section 10–616(v)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 702 – Senators Madaleno, Raskin, Conway, DeGrange, Garagiola, Klausmeier, Manno, Robey, and Simonaire**

AN ACT concerning

**Maryland Public Art Initiative Program – Revisions**

FOR the purpose of altering a provision of law relating to the qualifications for appointment as a public member of the Maryland Commission on Public Art; requiring the Commission to include additional State agencies and departments in the Maryland Public Art Initiative Program; requiring the Commission to determine which projects are subject to a certain requirement of the Program; requiring the Commission, in cooperation with the Department of General Services, to be responsible for the management of the collection, including the inventory, conservation, preservation, and deaccession of all artwork acquired through the Program; altering the sources of funding for the Maryland Public Art Fund; repealing a certain provision of law relating to an annual appropriation for the Program in the State operating or capital budget; requiring certain State agencies or departments or other recipients of State

funds for certain construction or renovation projects to set aside a certain percentage of the money allocated for the projects to be paid into the Fund; providing that money paid into the Fund under a certain percentage set aside requirement may be used for certain purposes; establishing the intent of the General Assembly that a certain percentage set aside requirement not result in an increase in certain costs; repealing certain provisions of law establishing that all artwork funded by the Program is the property of the Maryland Historical Trust; repealing certain provisions of law relating to the responsibilities of the Trust; establishing, with a certain exception, that all artwork funded by the Program is the property of the Commission; and generally relating to the Maryland Public Art Initiative Program.

BY repealing and reenacting, without amendments,

Article – Economic Development  
Section 4–601, 4–603(a), and 4–606  
Annotated Code of Maryland  
(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Economic Development  
Section 4–603(b), 4–604, 4–605, and 4–608  
Annotated Code of Maryland  
(2008 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 703 – Senators Madaleno, Benson, Currie, Ferguson, Forehand, Garagiola, King, Manno, McFadden, Montgomery, Peters, Ramirez, and Raskin**

AN ACT concerning

### **Income Tax – Refundable Earned Income Credit**

FOR the purpose of altering the percentage of the federal earned income credit used for determining the amount that an individual may claim as a refund under the State earned income tax credit under certain circumstances; providing for the application of this Act; and generally relating to the State refundable earned income tax credit.

BY repealing and reenacting, without amendments,

Article – Tax – General  
Section 10–704(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General  
Section 10–704(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 704 – Senators Madaleno, Currie, Edwards, Ferguson, Garagiola, King, Kittleman, Manno, Montgomery, Ramirez, and Raskin**

AN ACT concerning

**Sales and Use Tax – Tax-Free Periods – University and College Textbooks**

FOR the purpose of designating certain periods each year to be tax-free periods during which an exemption from the sales and use tax is provided for the sale of certain textbooks purchased by certain individuals; defining a certain term; and generally relating to sales and use tax-free periods for the sale of university and college textbooks.

BY adding to  
Article – Tax – General  
Section 11–232  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 705 – Senators Madaleno, Benson, Colburn, Currie, Ferguson, Forehand, Garagiola, Kelley, King, Kittleman, Manno, Montgomery, Peters, Ramirez, Raskin, Robey, and Stone**

AN ACT concerning

**Graduate Level Education – Exemption from Paying Nonresident Tuition –  
Members of the United States Armed Forces**

FOR the purpose of exempting certain individuals who attend certain institutions of higher education for graduate level education from paying certain tuition rates under certain circumstances; renumbering certain provisions of law; and generally relating to exempting members of the United States armed forces from paying nonresident tuition for graduate level education.

BY renumbering  
Article – Education  
Section 15–106.4(d)  
to be Section 15–106.4(e)

Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 15–106.4(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Education  
Section 15–106.4(d)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 706 – Senators Madaleno, Kelley, Montgomery, and Robey**

CONSTITUTIONAL AMENDMENT

AN ACT concerning

**Referendum Petitions**

FOR the purpose of altering the earliest date by which a nonemergency law may take effect; altering the date by which petitions to refer a law to referendum must be filed; requiring the Secretary of State to refer certain laws to referendum at certain elections if sufficient petitions are filed; altering the number of signatures required to refer a law to referendum; repealing provisions requiring that petitions containing a certain number of signatures be filed by certain dates; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an amendment to the Maryland Constitution  
Article XVI – The Referendum  
Section 2 and 3

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 707 – Senator Madaleno**

AN ACT concerning

**Special Taxing Districts – Transportation Improvements and Exemption  
from County Tax Limitations**

FOR the purpose of altering the definition of “cost” to include certain operating expenses; authorizing the Mayor and City Council of Baltimore City or the governing body of a county to set special rates for any class of property in a special taxing district that is subject to the county property tax; authorizing the Mayor and City Council of Baltimore City or the county governing body, under certain circumstances, to set a property tax rate that is higher than a county tax limitation, notwithstanding certain provisions of law or any provision of the county’s charter that places certain limits on that county’s property tax rate or revenues; defining certain terms; providing for the application of this Act; and generally relating to special taxing districts and county tax limitations.

BY repealing and reenacting, without amendments,  
Article 1 – Rules of Interpretation  
Section 14(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–1301(a)(1) and 9–1302  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 9–1301(a)(3)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – Property  
Section 6–302  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Tax – Property  
Section 6–302.1  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 708 – Senators Madaleno, Forehand, Garagiola, and Rosapepe**

AN ACT concerning

**Tobacco-Related Disease Products Research, Development, and  
Commercialization Program**

FOR the purpose of establishing the Tobacco-Related Disease Products Research, Development, and Commercialization Program; specifying the purpose of the Program; establishing the Tobacco-Related Disease Products Research, Development, and Commercialization Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Maryland Biotechnology Center in the Department of Business and Economic Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; establishing certain criteria and certain award amounts for grants awarded under the Program; requiring certain recipients of Program funds to pay a certain royalty; authorizing the Department to adopt certain regulations; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; requiring the Governor to make a certain appropriation from the Cigarette Restitution Fund each year under certain circumstances; defining certain terms; and generally relating to the Tobacco-Related Disease Products Research, Development, and Commercialization Program.

BY adding to

Article – Economic Development

Section 5-1401 through 5-1406 to be under the new subtitle “Subtitle 14.  
Tobacco-Related Disease Products Research, Development, and  
Commercialization Program”

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6-226(a)(2)(ii)69. and 70. and 7-317(g)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6-226(a)(2)(ii)71.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 709 – Senators Madaleno, Benson, Forehand, Kelley, King, Manno, Montgomery, Ramirez, Raskin, and Robey**

AN ACT concerning

**Consumer Protection – Negative Option Feature – Restrictions**

FOR the purpose of prohibiting a merchant from using a negative option feature in connection with a sale of consumer goods or consumer services or a free trial offer for consumer goods or consumer services unless the merchant provides the consumer with a written disclosure of the terms and conditions of the negative option feature; providing that a negative option feature used in connection with a sale of consumer goods or consumer services or a free trial offer for consumer goods or consumer services is not enforceable unless the consumer has expressly accepted the terms of the negative option feature in writing, as evidenced by a written or electronic signature; providing that a violation of certain provisions of this Act is an unfair or deceptive trade practice within the meaning of the Maryland Consumer Protection Act and is subject to certain enforcement and penalty provisions; defining certain terms; and generally relating to the use of negative option features in connection with the sale of consumer goods or consumer services or a free trial offer for consumer goods or consumer services.

BY adding to

Article – Commercial Law

Section 14–1324

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 710 – Senators Madaleno, Benson, Forehand, Kelley, Manno, Montgomery, and Raskin**

AN ACT concerning

**Public Service Commission – Membership**

FOR the purpose of altering the membership of the Public Service Commission; and generally relating to the Public Service Commission.

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 2–102

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)



Read the first time and referred to the Committee on Finance.

**Senate Bill 711 – Senator Madaleno**

AN ACT concerning

**Local Government Tort Claims Act – Primary Care Coalition of Montgomery County**

FOR the purpose of altering the definition of “local government” under the Local Government Tort Claims Act to include a certain nonprofit corporation in Montgomery County; providing that a certain notice requirement does not apply to an action against a certain nonprofit corporation in Montgomery County under the Local Government Tort Claims Act; providing for the application of this Act; and generally relating to the inclusion of a certain nonprofit corporation in Montgomery County under the Local Government Tort Claims Act.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–301(d)(27) and (28) and 5–304(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 5–301(d)(29)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 5–303(a) and 5–304(b)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 712 – Senators Madaleno, Frosh, and Manno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Ken–Gar Community Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the County Executive and County Council of Montgomery County for certain development or improvement purposes;

providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 713 – Senators Madaleno, Raskin, Currie, Ferguson, Garagiola, Kittleman, Manno, and Ramirez**

AN ACT concerning

**Task Force on Democracy and Representative Government in Maryland for the 21st Century**

FOR the purpose of establishing the Task Force on Democracy and Representative Government in Maryland for the 21st Century; requiring the Task Force to study and evaluate the General Assembly's structure, organization, and process; requiring the Task Force to make recommendations on changes to the State's legislative structure, organization, and process that would achieve certain goals; providing for the membership of the Task Force; providing staff for the Task Force; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly by a certain date; providing for the termination of the Task Force; and generally relating to the Task Force on Democracy and Representative Government in Maryland for the 21st Century.

Read the first time and referred to the Committee on Rules.

**Senate Bill 714 – Senators Madaleno, Benson, Currie, Ferguson, Forehand, Garagiola, Kelley, King, Klausmeier, Manno, Montgomery, Ramirez, and Raskin**

AN ACT concerning

**Income Tax – Subtraction Modification – Student Loan Debt**

FOR the purpose of allowing a subtraction modification under the Maryland income tax for certain income of certain individuals from the discharge of student loan indebtedness; providing that the amount of the subtraction modification may not exceed a certain amount for certain taxpayers; providing for the application of this Act; and generally relating to a subtraction modification under the Maryland income tax for certain income from the discharge of certain indebtedness.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–207(a)

Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General

Section 10–207(aa)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 715 – Senators Ramirez, Benson, Currie, Ferguson, Forehand, Garagiola, Gladden, King, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, and Raskin**

AN ACT concerning

**Maryland Highway Safety Act of 2013**

FOR the purpose of authorizing the issuance, to new applicants, of identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes; repealing a provision of law that prohibits, after a certain date, the issuance or renewal of identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes; repealing a requirement that certain identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes expire by a certain date; and generally relating to the issuance of identification cards, moped operators' permits, and drivers' licenses that are not acceptable by federal agencies for certain official purposes.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–122

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 716 – Senator Ramirez**

AN ACT concerning

**Creation of a State Debt – Prince George's County – Cheverly United Methodist Church Kitchen and Public Accessibility Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Trustees of the Cheverly Community Church of Evangelical Brethren Church for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 717 – Senator Ramirez**

AN ACT concerning

**Workers' Compensation Commission – Regulation of Charges – Medical Services and Treatment**

FOR the purpose of clarifying that the authority of the Workers' Compensation Commission to regulate charges for medical services or treatment includes the authority to regulate fees charged by a medical expert for certain services; and generally relating to the regulation of charges for medical services and treatment by the Workers' Compensation Commission.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 9–663  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 718 – Senator Ramirez**

AN ACT concerning

**Creation of a State Debt – Prince George's County – St. Ann's Security Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$40,000, the proceeds to be used as a grant to the Board of Directors of St. Ann's Center for Children, Youth, and Families, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan

proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 719 – Senator Ramirez**

AN ACT concerning

**State and Local Government – Economic Aid – Award to Employers**

FOR the purpose of prohibiting, except under certain circumstances, a unit of State or local government from granting economic aid to certain employers; requiring an employer that receives certain economic aid to adhere to certain terms of employment for a certain period of time; establishing a certain rebuttable presumption; providing that a certain employer may not be required to adhere to a certain term of employment under certain circumstances; requiring that a unit notify certain employers of certain information; authorizing a certain employee to file a certain action; requiring a court, under certain circumstances, to award certain damages, relief, costs, and fees; prohibiting a certain employer from retaliating against a certain employee; requiring a certain enabling act for certain capital projects to include a certain provision; providing for the construction of certain provisions of this Act; defining certain terms; and generally relating to economic aid granted by State and local governments.

BY adding to

Article – State Finance and Procurement  
Section 7–407 and 8–117(h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 1–113  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General  
Section 1–206  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – Property  
Section 1–306  
Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Finance.

**Senate Bill 720 – Senators Ramirez, Madaleno, and Young**

AN ACT concerning

**Criminal Procedure – Alien Defendants – Nullity of Bail Bonds**

FOR the purpose of providing that, if a defendant who has posted a bail bond is taken into custody by a certain agency of the federal government because of the defendant's immigration status, the bond shall be null and void; providing that any bond that becomes null and void under this Act shall be returned to the surety and the surety shall have no liability with respect to the bond; providing that, if the surety is a compensated surety, the surety shall refund any premium paid in connection with the bond within a certain time after the bond is returned to the surety; and generally relating to bail bonds for alien defendants.

BY adding to

Article – Criminal Procedure

Section 5–206.1

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 721 – Senators Ramirez, Benson, Peters, and Rosapepe**

AN ACT concerning

**Police Training Commission – Membership – Police Chiefs' Association of Prince George's County**

FOR the purpose of altering the membership of the Police Training Commission to include the President of the Police Chiefs' Association of Prince George's County; and generally relating to the Police Training Commission.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–203

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 722 – Senators Ramirez, Ferguson, Forehand, Kelley, Madaleno, Manno, Montgomery, Raskin, Simonaire, Stone, and Young**

AN ACT concerning

**Criminal Law – Third Degree Sexual Offense – Burglary**

FOR the purpose of establishing that engaging in sexual contact with another without the consent of the other in connection with a first, second, or third degree burglary constitutes sexual offense in the third degree; altering the definitions of “tier I sex offender”, “tier II sex offender”, and “tier III sex offender” applicable to provisions relating to sex offender registration to include certain acts constituting sexual offense in the third degree; providing for the application of this Act; and generally relating to sexual offense in the third degree.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–307  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Criminal Procedure  
Section 11–701(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 11–701(o), (p), and (q)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 723 – Senator Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Kids International  
Discovery Museum**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$50,000, the proceeds to be used as a grant to the Board of Directors of Kids International Discovery Museum, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the

encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 724 – Senator Madaleno**

AN ACT concerning

**State Personnel – Program to Improve Employee to Supervisor Ratio and Employee Span of Control Review Board**

FOR the purpose of requiring the Secretary of Budget and Management, in collaboration with the heads of units in the Executive Branch of State Government, to establish a program to improve the ratio of certain State employees to supervisors beginning on certain dates; requiring the Secretary to waive certain requirements under certain circumstances; providing that certain program requirements do not apply under certain circumstances; establishing the Employee Span of Control Review Board; providing for the membership of the Board; requiring the Department of Budget and Management to provide staff for the Board; requiring the Board to establish certain guidelines for a certain program and to consider requests for certain waivers or delayed implementation dates for certain units of State government; authorizing certain agency heads or presidents of public institutions of higher education to request certain waivers or delays beginning on a certain date; prohibiting certain Board members from participating in certain decisions under certain circumstances; requiring the Board to provide certain notice to certain units of State government; requiring certain agency heads or presidents of public institutions of higher education to provide certain documentation describing certain efforts; requiring the Board to make a certain determination before approving a waiver or delay; requiring the Secretary to report to the Governor and the General Assembly on or before a certain date each year; providing for the contents of the report; providing for the application of this Act; defining a certain term; and generally relating to a program to improve the ratio of Executive Branch employees to supervisors and the Employee Span of Control Review Board.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 4–107  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 725 – Senator Simonaire**

AN ACT concerning



**Business Regulation – Junk Dealers and Scrap Metal Processors – Holding  
Period for Junk and Scrap Metal**

FOR the purpose of requiring a junk dealer or scrap metal processor who is a resident of the State to hold in a certain county for a certain period of time junk or scrap metal purchased by the junk dealer or scrap metal processor; requiring a junk dealer or scrap metal processor, during the holding period established under this Act, to hold junk or scrap metal purchased by the junk dealer or scrap metal processor, along with a record of its purchase, at a certain business address; and generally relating to a holding period for junk or scrap metal purchased by a junk dealer or scrap metal processor.

BY adding to

Article – Business Regulation

Section 17–1011.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 726 – Senator Simonaire**

AN ACT concerning

**Health – Medical Procedures – Ultrasound Options**

FOR the purpose of requiring certain physicians, under certain circumstances, to provide a certain pregnant woman the opportunity to view a certain ultrasound image before the performance or inducement of a certain medical procedure; requiring a physician to allow a certain pregnant woman to view a certain ultrasound image at no additional charge; and generally relating to ultrasound options for medical procedures.

BY adding to

Article – Health – General

Section 20–210

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 727 – Senators Muse, Colburn, and Jacobs**

AN ACT concerning

**Members of the General Assembly – Whistleblower Protection**

FOR the purpose of requiring the Attorney General to provide written notice of certain protections and remedies to members of the General Assembly; prohibiting an employer from taking or refusing to take certain personnel actions against employees who are members of the General Assembly who disclose unlawful behavior, refuse to participate in unlawful behavior, or seek certain remedies following certain disclosures; providing for a certain limitation; requiring that a certain disclosure be made to the Attorney General under certain circumstances; authorizing a certain member of the General Assembly to institute a civil action in the county where a certain violation occurred, where the member resides, or where the member's employer maintains its principal office in the State; requiring the civil action to be brought within a certain period of time; establishing the remedies for certain members of the General Assembly that a court may grant; providing a certain defense; requiring the Attorney General to designate a certain assistant Attorney General to take certain information from certain members of the General Assembly, investigate certain allegations, and take certain actions; defining a certain term; and generally relating to whistleblower protection for members of the General Assembly.

BY adding to

Article – State Government

Section 2-1703

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 728 – Senators DeGrange, Garagiola, Robey, King, Currie, and Madaleno**

AN ACT concerning

**Tax Credits – Electric Vehicles – Extensions**

FOR the purpose of extending the credit against the State income tax for certain qualified electric vehicle recharging equipment for certain tax years; providing for the amount of tax credit certificates that may be issued by the Maryland Energy Administration; transferring certain money from the Strategic Energy Investment Fund to the General Fund in certain fiscal years; extending the credit against the motor vehicle excise tax for certain qualified plug-in electric drive vehicles for a certain period of time; establishing that the tax credit is subject to available funding; transferring certain money from the Strategic Energy Investment Fund to the Transportation Trust Fund in a certain fiscal year; and generally relating to the extension of tax credits relevant to electric vehicles.

BY repealing and reenacting, without amendments,  
Article – Environment  
Section 2–1002(g)(2)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–20B–05(a) and (e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–729  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–815  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 729 – Calvert County Senators**

AN ACT concerning

#### **Calvert County – County Commissioners – Method of Election**

FOR the purpose of altering the manner in which the County Commissioners of Calvert County are elected beginning with a certain general election; requiring that certain county commissioners be residents of and represent certain election districts; requiring that certain other county commissioners be residents of the county and represent the county at large; requiring that each candidate for the office of county commissioner specify when filing a certificate of candidacy certain information; making stylistic changes; and generally relating to the method of electing the County Commissioners of Calvert County.

BY repealing and reenacting, with amendments,  
The Public Local Laws of Calvert County  
Section 2–102  
Article 5 – Public Local Laws of Maryland  
(2002 Edition and July 2011 Supplement, as amended)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 730 – Senators King, Colburn, Garagiola, and Manno**

AN ACT concerning

**Recordation and Transfer Taxes – Low Income Housing Projects –  
Controlling Interest**

FOR the purpose of establishing the consideration used to calculate the recordation and State and county transfer tax on certain transactions for which a controlling interest is conveyed; providing for the application of this Act; and generally relating to State and county transfer taxes.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 12–103(a), 13–203(a), and 13–412  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Tax – Property  
Section 12–103(a–1), 13–203(a–1), and 13–412(c)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 731 – Senators Forehand, Jacobs, and Montgomery**

AN ACT concerning

**Family Law – Protective Orders – Additional Relief**

FOR the purpose of authorizing a judge in a final protective order to order the respondent to remain a specified distance away from the residence, place of employment, school, or temporary residence of a person eligible for relief; and generally relating to protective orders.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 4–506(d)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 732 – Senators Forehand and Montgomery**

AN ACT concerning

**Juvenile Law – Prohibition Against Continued Detention**

FOR the purpose of prohibiting the continued detention, beyond emergency detention, of a child under a certain age, except under certain circumstances; and generally relating to juvenile law.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–01(a) and (n)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–15  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 733 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – New Revival Center of Renewal**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of New Revival Center of Renewal, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 734 – Senators Currie and Madaleno**

AN ACT concerning

**State Board of Education – Mathematics – Graduation Requirement**

FOR the purpose of requiring the State Board of Education to establish certain high school graduation requirements in mathematics for certain students; providing for the application of this Act; and generally relating to high school graduation requirements.

BY adding to

Article – Education

Section 7–205.1

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 735 – Senator Astle**

AN ACT concerning

**Insurance – Premium Financing**

FOR the purpose of including motor clubs and motor club memberships in certain provisions relating to premium financing; altering the maximum amount of a finance charge and the method of calculating the charge; providing for a certain refund credit to be calculated in a certain manner; altering certain delinquency and collection and cancellation charges; authorizing a premium finance agreement to require the payment of certain charges after certain notice under certain circumstances; altering certain requirements for alternative notice delivery methods; providing for the issuance of a notice of intent to cancel with a certain date under certain circumstances; authorizing a managing general agent to return certain gross unearned premiums in a certain manner under certain circumstances; authorizing the inclusion of previous premium financing agreements in the calculation of certain amounts due on the account of an insured; making conforming changes; altering certain definitions; and generally relating to premium financing and private passenger motor vehicle insurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 23–101, 23–201, 23–301, 23–304, 23–306, 23–307, 23–307.1, 23–401.1,  
23–402, 23–403, and 23–405

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 736 – Senator Astle**

AN ACT concerning

**Insurance – Fraudulent Insurance Acts – Compensation for Deductible**

FOR the purpose of providing that it is a fraudulent insurance act for a person to pay or otherwise compensate, or offer or promise to pay or compensate, an insured for all or part of a certain insurance deductible as an inducement to enter into a contract to furnish goods or services; providing certain penalties for a violation of certain provisions of this Act; and generally relating to fraudulent insurance acts.

BY adding to

Article – Insurance

Section 27–407.2

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 27–408(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 27–408(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 737 – Calvert County Senators**

AN ACT concerning

**Calvert County – Alcoholic Beverages – Special Event Licenses**

FOR the purpose of authorizing the Calvert County Board of License Commissioners to issue a Special Event (SE) license; authorizing the Board to issue a Special Event license to certain persons; establishing that a holder of a Special Event license may sell at retail beer, wine, and liquor for consumption in a certain location and in certain areas on certain property during the special event; establishing certain fees; establishing that this Act may not prohibit a licensee from holding another alcoholic beverages license; requiring the Board to determine the number of licenses an applicant may apply for in a given year;

authorizing the Board to approve certain conditions for issuance of a Special Event license; authorizing the Board to adopt certain regulations; defining certain terms; and generally relating to the issuance of a Special Event license in Calvert County.

BY adding to

Article 2B – Alcoholic Beverages

Section 8–205

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 738 – Senators Dyson, Benson, and Reilly**

AN ACT concerning

#### **Health Occupations – Magnetic Resonance Imaging Services – Study**

FOR the purpose of requiring the Department of Health and Mental Hygiene to conduct a certain study regarding the ordering of magnetic resonance imaging services by certain physicians; requiring the Department to submit the results of the study to certain committees of the General Assembly on or before a certain date; and generally relating to a study by the Department of Health and Mental Hygiene of the ordering of magnetic resonance imaging services.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 739 – Senator Pinsky**

AN ACT concerning

#### **Agriculture – Nutrient Management Plans – Fertility Index Value Soil Testing**

FOR the purpose of requiring a certain person to forward the results of a certain soil test to the Department of Agriculture each time a certain plan is revised and updated; requiring the Department to maintain a certain database that is searchable in a certain manner; requiring a certain database to be made available to the public on request, notwithstanding a certain provision of law; requiring the Department to include certain soil test results in a certain annual report; and generally relating to the Department of Agriculture and soil testing.

BY repealing and reenacting, with amendments,  
Article – Agriculture



Section 8-803.7  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 740 – Senators Pinsky and Madaleno**

AN ACT concerning

**College Readiness and Completion Act of 2013**

FOR the purpose of requiring the State Department of Education to establish certain mathematics course requirements for certain students; requiring students to enroll in a college preparation curriculum except in a certain circumstance; requiring the Department to make a certain assessment of all students in the 11th grade by a certain school year; requiring the Department, in collaboration with a certain association, to develop and implement certain courses for the 12th grade by a certain school year; stating certain goals of the State; stating a certain duty of the Maryland Higher Education Commission; requiring the Commission, in collaboration with certain institutions of higher education, to develop and implement a certain course numbering system and certain credit transfer agreements by certain dates; requiring the Commission, in collaboration with certain institutions of higher education, to create a certain statewide communication campaign to identify certain individuals; requiring the Commission to develop and implement a certain incentive plan for certain individuals and certain institutions of higher education; requiring the Commission to submit a certain report by a certain date; requiring certain students to file a degree plan with certain institutions of higher education by a certain time; requiring a degree plan to be developed in consultation with a student's certain academic advisor; requiring certain institutions of higher education to develop and implement certain block scheduling for certain students; requiring certain institutions of higher education to consider implementing certain block scheduling; requiring certain institutions of higher education to provide certain financial assistance to certain students; establishing a standard number of credits required for certain degrees at certain institutions of higher education except under certain circumstances; authorizing the Commission to establish additional exceptions to the standard number of credits required for certain degrees; clarifying eligibility for a certain grant program for certain students; prohibiting certain institutions of higher education from charging dually enrolled students tuition; requiring each county board of education to provide a certain amount of funding to certain institutions of higher education for dually enrolled students; authorizing county boards to charge a student activities fee to dually enrolled students not to exceed a certain amount; requiring a county board to consider certain information when setting fees; requiring the county board to waive a certain fee for certain students;

requiring the Governor's P-20 Leadership Council of Maryland to monitor implementation of certain college strategies; requiring the Council to submit certain reports by certain dates; requiring the Department to develop, in consultation with certain institutions of higher education, a certain plan to improve college and career counseling; requiring the Department to submit a certain report by a certain date; requiring the Commission to submit certain data to the Department of Legislative Services by certain dates; defining certain terms; and generally relating to college readiness and college completion in the State.

BY repealing and reenacting, without amendments,

Article – Education

Section 1-101(a), (d), (f), and (l), 10-101(a), (c), (h), and (m), and 24-801(a)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education

Section 7-205.1, 11-105(b)(9), 11-209, 15-113 through 15-116, 18-14A-04, and 24-801(m)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 10-205, 11-207, 18-14A-01 through 18-14A-04, and 24-801(i)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Budget and Taxation.

### **Senate Bill 741 – Senator Jones–Rodwell**

AN ACT concerning

#### **State Retirement and Pension System – Board of Trustees**

FOR the purpose of adding a trustee to the Board of Trustees for the State Retirement and Pension System to represent certain interests; establishing the qualifications of the trustee; providing for the appointment of the trustee; and generally relating to the Board of Trustees for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21-104

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 742 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senator Ferguson**

AN ACT concerning

**Vehicle Laws – Residential Parking in Baltimore City**

FOR the purpose of establishing that certain provisions of law granting a person who is issued certain special registration plates for individuals with disabilities the authority to park for unlimited periods of time in certain restricted parking zones do not supersede local ordinances in Baltimore City that restrict parking for vehicles that do not display specified residential parking permits; and generally relating to special registration plates for individuals with disabilities and residential parking in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 13–616(f)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 743 – Senators Jones–Rodwell and Ferguson**

AN ACT concerning

**Baltimore City Public Schools Construction Authority**

FOR the purpose of establishing the Baltimore City Public Schools Construction Authority; providing for the purpose, duties, membership, appointment, terms, and compensation of the Authority; requiring the Authority to appoint an executive director and establishing the duties of that position; authorizing the Authority to employ or retain employees or contractors as appropriate; authorizing the Authority, under certain circumstances, to acquire and take title to property, enter into contracts, fix and collect certain rents and other charges, mortgage or encumber a project and its site, make a loan, contract for certain services, and receive certain contributions and gifts; specifying that the Authority shall be responsible for certain school facilities construction and capital improvement projects; authorizing the Authority or other issuer of bonds to hold title to certain properties or improvements to certain properties under certain circumstances; specifying that certain expenses incurred by the

Authority are payable only from certain funds; requiring certain audits of the Authority; requiring certain audits to be submitted by a certain date to certain entities; declaring the intent of the General Assembly that the Authority shall remain in existence as long as certain debt is outstanding; authorizing the issuance of certain bonds; setting certain requirements, guidelines, and procedures for the issuance of certain bonds; specifying that certain projects financed under this Act shall be approved by the Interagency Committee on School Construction; requiring the Authority, the Baltimore City Board of School Commissioners, and the Interagency Committee on School Construction to enter into a certain memorandum of understanding; limiting the amount of certain outstanding debt of the Authority; specifying that the Authority may secure certain bonds by a trust agreement and setting the requirements, guidelines, and procedures for that trust agreement; authorizing certain financial entities to invest certain funds in certain bonds; specifying that certain bonds issued under this Act are not a debt, liability, moral obligation, or a pledge of the faith and credit of the State or any subdivision of the State; providing how proceeds from the sale of certain bonds may be expended; authorizing the issuance of refunding bonds and bond anticipation notes under certain circumstances and subject to certain provisions; exempting the Authority, its agent, lessee, and the principal and interest on certain bonds from State and local taxes; requiring the State to provide a certain block grant each year for school construction projects in Baltimore City; providing for the funding and an annual increase in the amount of funding for certain school construction projects in Baltimore City; specifying the uses for a certain block grant; authorizing the Baltimore City Board of School Commissioners to acquire, construct, reconstruct, equip, maintain, repair, or renovate facilities at any location in Baltimore City through another entity acting as its agent and enter into contracts with public or private entities for such purposes; specifying that a transfer of a certain interest in a public school building in connection with financing the cost of improvements to that building is not a sale, lease, or disposal of that building; increasing the amount of bonds that the Baltimore City Board of School Commissioners may have outstanding; specifying that the amount of outstanding debt of the Baltimore City Board of School Commissioners does not include bonds issued by an entity other than the Board, including bonds issued by the Authority or other issuer of bonds; defining certain terms; authorizing the Maryland Health and Higher Educational Facilities Authority to issue bonds on behalf of the Authority; and generally relating to school construction projects in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Economic Development  
Section 10–301  
Annotated Code of Maryland  
(2008 Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education

Section 4-114, 4-115, 4-119, 4-126, 4-306.1, 4-306.2(a) and (b), and 5-301(i)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education

Section 4-401 through 4-424 to be under the new subtitle “Subtitle 4. Baltimore  
City Public Schools Construction Authority”; and 5-301(c-1)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 744 – Senators Forehand and King**

AN ACT concerning

#### **Creation of a State Debt – Montgomery County – Bohrer Park Miniature Golf Course**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Gaithersburg for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 745 – Senator Middleton**

AN ACT concerning

#### **Public Safety – 9-1-1 Emergency Telephone Systems – Prepaid Service – Collection of Surcharge**

FOR the purpose of establishing that the surcharge on wireless telecommunication services applies to prepaid service; establishing the amount of the prepaid wireless E 9-1-1 fee; allowing for the collection of the fee for the purpose of contributing to the 9-1-1 Trust Fund; authorizing certain percentages of the money collected from the fee to be used for certain purposes; providing that the fee shall be collected for certain transactions; authorizing a seller to deduct and retain certain percentages of the fee under certain circumstances; establishing certain procedures for the collection of the fee; authorizing a seller to demonstrate a certain exemption from the fee in a certain manner; authorizing the Comptroller to adopt certain regulations; establishing certain immunity

provisions; establishing that certain procedures apply to this Act; prohibiting certain charges from being imposed; defining certain terms; making technical changes; and generally relating to 9–1–1 emergency telephone systems and the collection of fees to support the systems.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 1–301 through 1–303 and 1–308 through 1–311  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Public Safety  
Section 1–313  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 746 – Senator Middleton**

AN ACT concerning

#### **Health Insurance – Step Therapy or Fail–First Protocol**

FOR the purpose of limiting the duration of a step therapy or fail–first protocol imposed by a certain insurer, nonprofit health service plan, or health maintenance organization; requiring the insurer, nonprofit health service plan, or health maintenance organization to allow a prescriber of a covered prescription drug or device to have certain access to a certain process to override the step therapy or fail–first protocol; requiring the override process to allow a prescriber to override the step therapy or fail–first protocol under certain circumstances; prohibiting the provisions of this Act from being construed to require certain coverage; requiring the Maryland Health Care Commission, in consultation with the Maryland Insurance Administration, to study the use of measures similar to a step therapy or fail–first protocol by health insurance carriers in their coverage of diagnostic imaging and medical and surgical procedures; requiring certain elements to be included in the study; requiring the findings of the study to be reported to the Governor and certain committees of the General Assembly on or before a certain date; defining a certain term; making certain provisions of this Act applicable to health maintenance organizations; and generally relating to step therapy or fail–first protocols in health insurance policies and contracts.

BY adding to  
Article – Health – General  
Section 19–706(oooo)

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Insurance  
Section 15–140  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 747 – Senators Middleton, Conway, and Dyson**

AN ACT concerning

**Rules of Interpretation – Interpretation of “Physician” – Inclusion of  
Advanced Practice Nurse and Physician Assistant**

FOR the purpose of requiring that, under certain circumstances, the term “physician” be interpreted to include an “advanced practice nurse” and a “physician assistant”; prohibiting, under certain circumstances, a requirement for additional authorization of a unit of State government to endorse a document under the application of a certain provision of this Act; providing for the construction and application of this Act; defining certain terms; and generally relating to the interpretation of “physician” under State law.

BY adding to  
Article 1 – Rules of Interpretation  
Section 34A  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and  
Environmental Affairs.

**Senate Bill 748 – Senator Middleton**

AN ACT concerning

**Agriculture – Nutrient Management – Waters of the State**

FOR the purpose of altering the definition of “waters of the State” as it relates to the requirements of the nutrient management program administered by the Department of Agriculture; and generally relating to nutrient management.

BY repealing and reenacting, without amendments,  
Article – Agriculture

Section 8–801(a), 8–803.6(a), and 8–803.7(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 8–801(n)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)  
(As enacted by Chapters 484 and 485 of the Acts of the General Assembly of  
2011)

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 8–803.4(e) and (i) and 8–803.5(b) and (d)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)  
(As enacted by Chapters 484 and 485 of the Acts of the General Assembly of  
2011)

Read the first time and referred to the Committee on Education, Health, and  
Environmental Affairs.

### **Senate Bill 749 – Senator Middleton**

AN ACT concerning

#### **Maryland Automobile Insurance Fund – Operational Changes**

FOR the purpose of providing that the Maryland Automobile Insurance Fund is not subject to certain provisions of State law; providing that the Fund is subject to specified provisions of State law; providing that the Fund is independent of all State units; altering the composition, powers, and duties of the Board of Trustees of the Fund; requiring the Governor to appoint all members of the Board; requiring the Governor to consider the geographic and demographic diversity of the State in appointing individuals to the Board; altering the term of a member of the Board; altering the manner in which vacancies on the Board are filled; repealing certain provisions of law relating to a deemed resignation of a member of the Board; authorizing the Governor to remove a member of the Board for certain reasons; altering the compensation and reimbursement to which a member of the Board is entitled; providing that a member of the Board is not required to take compensation under certain circumstances; repealing a provision of law that requires compensation of the Executive Director of the Fund to be determined with the approval of the Governor; requiring the Board to employ certain attorneys for certain purposes; removing employees of the Fund from the State Personnel Management System except under certain circumstances; requiring the Executive Director to appoint and remove



employees in accordance with certain policies; requiring the two members of the Board who serve on a certain financial committee to have certain expertise; repealing provisions of law that authorize the Legislative Auditor to conduct certain audits of the Fund; requiring a certain audit committee to require the Fund's internal auditors to conduct certain audits; exempting the Fund from certain State procurement law; clarifying that the employees of the Fund are authorized to participate in the State's health insurance program; clarifying that the employees of the Fund are eligible to participate in the State's pension system; providing for the initial terms of members of the Board; making stylistic, conforming, and clarifying changes; and generally relating to the Maryland Automobile Insurance Fund.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 20–201 through 20–204 and 20–303(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article – Insurance

Section 20–304

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Insurance

Section 20–304

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 11–203(a)(1)(ix) through (xix)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 2–511 and 23–201(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 750 – Senator Robey**

AN ACT concerning

**Public Safety – Maryland Building Performance Standards – Local Wind Design and Wind-Borne Debris Standards**

FOR the purpose of authorizing a local jurisdiction to adopt local amendments to the Maryland Building Performance Standards if the local amendments do not weaken wind design and wind-borne debris provisions contained in the Standards; and generally relating to building performance standards.

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 12–504(a)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 751 – Senator Robey**

AN ACT concerning

**State Police Retirement System – Reemployment of Retirees**

FOR the purpose of clarifying the applicability of certain requirements for an offset from certain retirement allowances from the State Police Retirement System for certain individuals who accept employment with certain participating employers; extending a certain termination provision that applies to certain provisions that relate to the reemployment of retirees of the State Police Retirement System; providing for the termination of certain provisions of this Act; and generally relating to the reemployment of retirees of the State Police Retirement System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 24–405  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 644 of the Acts of the General Assembly of 2009  
Section 3

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 752 – Senator Robey**

AN ACT concerning

**Department of Budget and Management – Foster Youth Summer Internship  
Pilot Program**

FOR the purpose of requiring the Secretary of Budget and Management, with the assistance of the Secretary of Human Resources and in consultation with certain persons, to develop and implement the Foster Youth Summer Internship Pilot Program; specifying the purposes of the Program; specifying that an internship under the Program is unpaid and shall continue for a certain period; requiring the Program to be established in at least three counties in the State, including one in a certain area of the State; requiring the Secretary of Budget and Management to coordinate with certain State agencies on establishing certain internships; authorizing agencies participating in the Program to take certain actions; establishing certain eligibility requirements for individuals participating in an internship under the Program; requiring the Secretary of Budget and Management, in consultation with the Secretary of Human Resources, to issue certain reports to the Senate Finance Committee and the House Appropriations Committee of the General Assembly by certain dates; specifying the contents of the reports; providing for a delayed effective date; providing for the termination of this Act; defining certain terms; and generally relating to internship opportunities for certain foster youth.

BY adding to

Article – Human Services

Section 5–318.1

Annotated Code of Maryland

(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 753 – Senator Stone**

AN ACT concerning

**Maryland Trust Act**

FOR the purpose of repealing and revising certain provisions of law relating to trusts; providing that this Act may be cited as the Maryland Trust Act; providing for the scope of this Act; providing for the construction of this Act; providing for the designation of the principal place of administration for a trust; establishing a standard for whether notice to a person under this Act must be accomplished and how notice may be waived; providing for the role of a court in the administration of a trust; providing that a certain trustee and the beneficiaries of a trust are subject to the jurisdiction of the courts of this State under certain circumstances; establishing standards for judicial review of the discretion of a trustee; providing for the consent of a person that may represent and bind

another person under this Act; providing that the holder of a certain qualified power of appointment may represent and bind a certain person; providing that a certain person may represent a certain other person with respect to a particular question or dispute; authorizing a court to appoint a representative for a certain interest in certain circumstances; providing methods and requirements for creating a trust under this Act; establishing the method by which a trust for care of an animal may be created; providing certain rules for a certain noncharitable trust; providing for the modification or termination of a trust; authorizing a court to reform the terms of a certain trust; authorizing a court to modify the terms of a trust in a certain manner; authorizing a court to authorize a creditor or assignee of a beneficiary to reach a certain beneficiary's interest by attachment of certain distributions; establishing the rights of a certain beneficiary and a certain creditor to a trust interest that is subject to a discretionary distribution provision; providing that certain actions may not be taken with respect to a beneficial interest that is subject to a support provision; providing for the treatment of a spendthrift provision in a trust; authorizing a court to authorize a creditor or assignee of the beneficiary to attach certain distributions in certain circumstances; providing for circumstances to create a certain general power of appointment or a power of withdrawal; establishing rules for the claim of a certain creditor; establishing that trust property is not subject to certain personal obligations of the trustee; prohibiting a creditor from taking certain actions to compel a certain distribution; providing for the transfer to trust of property held by tenants by the entirety; establishing the capacity of a settlor of a revocable trust to take certain actions; providing the manner by which the settlor may revoke or amend a revocable trust; establishing the rights of certain beneficiaries; establishing the method by which a person designated as trustee accepts or rejects the trusteeship; requiring a trustee to give a certain bond under certain circumstances; providing for circumstances in which a vacancy occurs in a cotrusteeship; authorizing a trustee to resign in certain circumstances; providing grounds for the removal of a trustee; establishing the duties and powers of a trustee who has resigned or been removed; providing that certain trustees are entitled to certain commissions and certain reimbursements; authorizing certain persons to exercise certain trust and fiduciary powers; prohibiting a certain person from serving as a trustee in certain circumstances; requiring a certain trustee to perform certain duties; authorizing a trustee to delegate certain duties and powers in certain circumstances; authorizing a certain trustee to follow a certain direction of the settlor; establishing that certain persons shall be considered advisers and fiduciaries in certain circumstances; requiring a certain trustee to act in accordance with the directions of a certain adviser in certain circumstances; providing that a certain trustee does not have certain liabilities and duties; providing that a certain adviser has the power to perform certain actions; requiring a trustee to take certain steps to take control of and protect the trust property, with a certain exception; requiring the trustee to do certain record keeping and to keep certain property in a certain manner; requiring a trustee to take certain steps in certain circumstances; requiring the trustee to respond promptly to a certain request for information; requiring a trustee to

provide certain notice to certain beneficiaries; requiring a trustee to send a certain report to certain persons; prohibiting a trustee from exercising certain powers; authorizing a trustee to exercise certain powers in certain circumstances; providing for damages for which a certain trustee is or is not liable; authorizing a court to award costs and expenses in a certain judicial proceeding; providing that a certain trustee is not liable for a certain loss; providing that a certain term of a trust is unenforceable in certain circumstances; providing for the effect of an exculpatory term in a trust; providing for the liability of a trustee for breach of trust in certain circumstances; establishing limitations of personal liability of the trustee in certain circumstances; authorizing a trustee to furnish a certification of trust in certain circumstances; providing that the provisions of this Act relating to the use of electronic records and signatures conform to a certain federal statute; providing for the severability of provisions in this Act if held invalid; providing for the application of this Act to certain trusts and judicial proceedings; defining certain terms; and generally relating to trusts.

BY repealing and reenacting, with amendments,

Article – Estates and Trusts

Section 11–102(b)(12)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article – Estates and Trusts

Section 14–101 through 14–115 and the subtitle “Subtitle 1. General Provisions”

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Estates and Trusts

Section 14.5–101 through 14.5–1005 to be under the new title “Title 14.5.

Maryland Trust Act”

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Financial Institutions

Section 3–506(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 754 – Senator Miller**

AN ACT concerning

### **Hunting – Schools – Expanded Safety Zone**

FOR the purpose of prohibiting a person, while hunting for any wild bird or mammal, from shooting or discharging any firearm or other deadly weapon within a certain distance of a public or nonpublic school; and generally relating to hunting safety zones.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(g)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

### **Senate Bill 755 – Senators Colburn and Mathias**

AN ACT concerning

#### **Alcoholic Beverages – Micro–Breweries – Annual Production Limit**

FOR the purpose of raising the limit on the number of barrels of malt beverages that a micro–brewery may collectively brew, bottle, or contract for in a calendar year; and generally relating to micro–breweries.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–208(c)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 756 – Senator Ramirez**

AN ACT concerning

#### **Living Wage Law – Application and Enforcement**

FOR the purpose of repealing an exemption from the payment of a certain wage to a certain full–time employee who works less than a certain number of consecutive weeks for the duration of a certain contract; repealing a certain provision of law that certain contracts do not apply to certain nonprofit organizations; requiring certain employers to pay certain liquidated damages to the State under certain circumstances; and generally relating to the living wage.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 18–102 and 18–108  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 757 – Senator Ramirez**

AN ACT concerning

**Maryland Occupational Safety and Health Act – Discrimination Against  
Employee – Complaints**

FOR the purpose of authorizing an employee who believes that an employer or other person has violated a certain provision of the Maryland Occupational Safety and Health Act to submit orally a complaint to the Commissioner of Labor and Industry; clarifying language; and generally relating to the submission of complaints to the Commissioner of Labor and Industry under the Maryland Occupational Safety and Health Act.

BY repealing and reenacting, with amendments,  
Article – Labor and Employment  
Section 5–604  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 758 – Senators Ramirez and Kelley**

AN ACT concerning

**Labor and Employment – Lien for Unpaid Wages – Establishment**

FOR the purpose of requiring an employee to provide certain written notice to a certain employer first in order to establish a lien for unpaid wages; authorizing a certain employer to dispute a lien for unpaid wages by filing a certain complaint in a certain circuit court in a certain manner; authorizing the employer or employee to request an evidentiary hearing; requiring a circuit court to make a determination on a claim to establish a lien for unpaid wages in a certain manner; authorizing a circuit court to take certain actions; providing for certain court costs and attorney's fees under certain circumstances; specifying the manner in which a lien for unpaid wages may be established; specifying the manner in which an employee may record a lien for unpaid

wages; requiring a lien for unpaid wages to be extinguished without prejudice if it is not recorded within a certain period of time; requiring a lien for unpaid wages to be released if certain payment is made or a certain bond is filed; establishing the date by which a lien for unpaid wages takes priority over other claims; providing that certain purchasers of certain property are deemed to have constructive notice of a lien for unpaid wages under certain circumstances; specifying the manner in which an order for a lien for unpaid wages shall be enforced; requiring an action to enforce a certain order to be brought within a certain period of time; prohibiting certain contracts from waiving or requiring an employee to waive a certain right; specifying that a provision of a contract that violates a certain provision of this Act is void; providing for the construction of this Act; authorizing the Commissioner of Labor and Industry to seek to establish a lien for unpaid wages on behalf of an employee; requiring the Commissioner to adopt certain regulations; defining certain terms; and generally relating to liens for unpaid wages.

BY adding to

Article – Labor and Employment

Section 3–1101 through 3–1110 to be under the new subtitle “Subtitle 11. Lien for Unpaid Wages”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings and the Committee on Finance.

### **Senate Bill 759 – Senator Ramirez**

AN ACT concerning

#### **State Personnel – Equality for Maryland Caregivers Act of 2013**

FOR the purpose of providing certain collective bargaining rights to certain employees of the University of Maryland Medical Center; and generally relating to the collective bargaining rights of University of Maryland Medical Center employees.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 3–102

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

### **Senate Bill 760 – Senators Montgomery and Benson**



AN ACT concerning

**State Board of Nursing – Certified Nurse–Midwives – Standards and Practice Guidelines**

FOR the purpose of prohibiting the State Board of Nursing from requiring certain nurse–midwives to have certain documentation of certain consultation, collaboration, or referral with certain health care practitioners as a condition of licensure; requiring certain nurse–midwives to abide by certain standards established by a certain organization or other organizations approved by the Board; authorizing the Board, in the course of an investigation, to require certain nurse–midwives to provide a copy of certain practice guidelines developed in accordance with certain standards; and generally relating to practice guidelines and standards for certified nurse–midwives.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 8–602  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 761 – Senator Montgomery**

EMERGENCY BILL

AN ACT concerning

**Health Occupations – State Board of Pharmacy – Waivers – Pharmacies That Only Dispense Devices**

FOR the purpose of authorizing the State Board of Pharmacy to waive certain requirements for certain pharmacies that only dispense devices in accordance with certain rules and regulations; making certain technical changes; making this Act an emergency measure; and generally relating to the State Board of Pharmacy and waivers for pharmacies that only dispense devices.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 12–403  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 762 – Senator Ramirez**

AN ACT concerning

**Environment – Asbestos Occupation – Training Program and Examination**

FOR the purpose of authorizing a business entity to provide an asbestos training program; prohibiting a business entity that provides an asbestos training program from administering an asbestos occupation exam; altering the definition of “independent testing organization”; and generally relating to asbestos training and examinations.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 6–417  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 763 – Senators Ramirez and Rosapepe**

AN ACT concerning

**Property and Casualty Insurance – Vessel Liability Coverage – Required**

FOR the purpose of authorizing certain vessel liability insurance in the State; providing for the form and coverage under a policy of vessel liability insurance; providing for the application of this Act to certain vessels; providing for the construction of this Act in relation to certain other provisions of law; providing that this Act does not affect certain rights of certain persons; authorizing the Maryland Insurance Commissioner to review certain policies of vessel liability insurance for certain purposes; requiring certain policies to provide certain minimum liability coverage; requiring certain insurers to provide certain coverage to a first named insured; requiring certain insurers to provide certain coverage for certain medical, hospital, and disability benefits for certain individuals unless waived in a certain manner; providing for the calculation of certain benefits and limits in a certain manner; authorizing certain exclusions from coverage of certain individuals under certain circumstances; providing for the waiver of certain benefits by a first named insured in a certain manner and for the effect of the waiver; prohibiting certain insurers from refusing to underwrite certain persons because of refusal to waive certain coverage, subject to certain penalties; providing for the payment of certain benefits without regard to fault or nonfault of certain persons and certain other circumstances; providing for the coordination of certain benefits in a certain manner;

prohibiting certain surcharges and retiering; requiring certain insurers to provide certain notice; providing that certain insurers do not have a right of subrogation with respect to certain persons and benefits under certain circumstances; providing for the periodic payment of certain benefits in a certain manner; requiring certain insurers to provide certain notice to certain insureds concerning filing of claims for benefits and certain time limits; requiring certain policies of vessel liability insurance to include certain coverage for certain damages involving an uninsured vessel in certain amounts; providing for a certain exclusion from certain uninsured vessel coverage under certain circumstances; providing for certain coverage in case of an insolvent insurer; providing that a certain final judgment does not preclude certain other actions; providing for the construction of certain coverage in excess of certain mandatory minimum liability coverage; providing for certain procedures and waivers relating to excess coverage; requiring an injured person to provide a copy of a certain insurer's written liability offer to a certain insurer under certain circumstances; providing for the acceptance or rejection of the offer by a certain insurer; providing for the preservation of certain rights of subrogation under certain circumstances; authorizing an injured person to accept a certain offer and execute certain releases without prejudice to certain claims; providing for the construction of the acceptance of certain settlement offers; requiring certain insurers to offer certain collision coverage in certain amounts with certain deductibles; providing for certain collision insurance for certain vessels under certain circumstances; limiting the right of certain persons to recover duplicative or supplemental benefits under certain circumstances; requiring the reduction of certain benefits to the extent of certain workers' compensation benefits under certain circumstances; requiring certain authorized insurers to arbitrate certain disputes in a certain manner; providing for a certain benefit for a replacement vessel for certain insureds under certain circumstances; providing for the construction and application of certain vessel liability insurance policies that cover more than one individual; authorizing the Commissioner to adopt certain regulations; providing for the exclusion of certain individuals from coverage under certain circumstances; providing for the exclusion of certain individuals as an alternative to cancellation or nonrenewal of certain coverage; prohibiting certain premiums from reflecting the claim experience or operation record of certain excluded named operators; requiring certain minimum security for certain vessels that are principally operated in the waters of the State; providing for the required form and benefits under the security; authorizing the Department of Natural Resources to accept certain forms of security; requiring the Department to assess a certain annual fee on certain persons for certain purposes; authorizing the Department to adopt certain regulations; providing that a violation of certain provisions of this Act is a misdemeanor subject to certain penalties; defining certain terms; making a stylistic change; providing for the application of this Act; and generally relating to vessels and required liability insurance.

Section 19–1001 through 19–1018 to be under the new subtitle “Subtitle 10. Vessel Liability Insurance”; and 27–609.1  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 8–701 and 8–739  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to  
Article – Natural Resources  
Section 8–745  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

#### **Senate Bill 764 – Senator Conway**

AN ACT concerning

##### **Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth**

FOR the purpose of establishing the Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; establishing the duties of the Task Force; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth.

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

#### **Senate Bill 765 – Senator Conway**

AN ACT concerning

##### **Creation of a State Debt – Baltimore City – Stone House Preservation and Rehabilitation**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$275,000, the proceeds to be used as a grant to the Board of Directors of the St. Clare of Assisi, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 766 – Senator Edwards**

AN ACT concerning

**Business Occupations – Oil and Gas Land Professionals – Registration**

FOR the purpose of prohibiting a person from operating as an oil or gas land professional in the State unless the person registers with and obtains a registration certificate from the Department of Labor, Licensing, and Regulation; requiring a person to register as a land professional by submitting a certain form and a certain fee to the Department; requiring the Department to assign a registration number and issue a registration certificate to a certain person; providing for the expiration and renewal of a certain registration; requiring a land professional to provide certain proof to a property owner before obtaining any mineral rights in oil or gas from the property owner; requiring the Department to adopt certain regulations to implement this Act; requiring the Department to develop a means for providing public access to certain information; establishing certain penalties; defining certain terms; and generally relating to the registration of oil and gas land professionals in the State.

BY adding to

Article – Business Occupations and Professions

Section 10.5–101 through 10.5–107 to be under the new title “Title 10.5. Oil and Gas Land Professionals”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 767 – Senator Edwards**

AN ACT concerning

**Garrett County – Alcoholic Beverages – Licenses, Permits, and Other Authorizations**

FOR the purpose of authorizing the Board of License Commissioners in Garrett County to grant certain license holders a privilege at no charge to sell certain alcoholic beverages at catered events in commemorative or special event bottles for consumption off the licensed premises under certain circumstances; establishing a Class BDR beer and wine license for a deluxe restaurant that has a certain minimum seating capacity and a certain minimum capital investment; specifying certain privileges, issuing fees, and annual fees for certain licenses with or without a catering option; providing for the days and hours of sale for certain licenses; authorizing the Board to adopt certain regulations; establishing a refillable container permit; authorizing the Board to issue the permit to certain draft beer license holders; requiring a container to meet certain specifications to be used as a refillable container permit; specifying the time when sales may begin on Sunday for a wine festival license issued for use in a certain location; authorizing certain Sunday sales to be made under certain circumstances; establishing beer festival licenses; authorizing the Board to issue annually a certain number of beer festival licenses; requiring that a beer festival license be issued to a holder of a certain license; authorizing a holder of a beer festival license to display and sell beer under certain circumstances; requiring the Board to perform certain activities; requiring a product to be displayed and sold at a beer festival to be invoiced in a certain manner and to be delivered to the beer festival from the licensed premises of the wholesaler; authorizing certain license holders to enter into a certain agreement under certain circumstances; authorizing Sunday sales under certain circumstances; requiring the Board to adopt certain regulations; adding an establishment for which a certain license is issued to the list of establishments in which an individual under certain circumstances may consume wine not purchased from or provided by the license holder; and generally relating to alcoholic beverages in Garrett County.

BY adding to

Article 2B – Alcoholic Beverages

Section 5–201(m–1) and (m–2), 6–201(m)(6), 6–401(m)(4), and 8–807

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 5–401(m), 6–201(m)(5)(iii), 6–401(m)(2)(ii), 7–101(p), 8–212, 8–308.3(h),  
and 12–107(b)(10)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 5–401(a)(1) and 8–308.3(b)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 768 – Senators Raskin, Garagiola, Kasemeyer, King, Kittleman, Klausmeier, Montgomery, and Robey**

AN ACT concerning

**Organ Donation Driver Education Act of 2013**

FOR the purpose of requiring the Motor Vehicle Administration to adopt regulations requiring that classroom instruction for the driver education program include an online course of a certain duration that pertains to organ, eye, and tissue donation in the State and becoming an organ, eye, or tissue donor; allowing the online course to be completed in or outside the classroom; requiring that the online course be established and provided by Donate Life Maryland; and generally relating to the driver education program.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–505  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 769 – Senators Raskin, Madaleno, and Montgomery**

AN ACT concerning

**Health Benefit Plans – Proposed Rate Increases – Notice to Insureds**

FOR the purpose of requiring health insurance carriers that file a proposed rate increase for a health benefit plan with the Maryland Insurance Commissioner to send certain notice in a certain manner to insureds affected by the proposed rate increase; authorizing the notice to be sent by electronic mail under certain circumstances; authorizing the Commissioner to adopt certain regulations; defining a certain term; and generally relating to notice of proposed rate increases for health benefit plans.

BY adding to  
Article – Health – General  
Section 19–706(oooo)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Insurance  
Section 15–140  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 770 – Senators Raskin, Colburn, King, Madaleno, Montgomery, Robey, and Young**

AN ACT concerning

**Criminal Law – Fraudulent Liens – Prohibition**

FOR the purpose of prohibiting a person from filing certain liens or encumbrances against certain individuals under certain circumstances; providing for penalties for a violation of this Act; defining certain terms; and generally relating to fraudulent liens.

BY adding to

Article – Criminal Law  
Section 3–807  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 771 – Senators Raskin, Conway, Forehand, Gladden, Kittleman, and Pugh**

AN ACT concerning

**Postjudgment Interest – Medical Injury**

FOR the purpose of altering the legal rate of interest on a money judgment for a medical injury; providing for the application of this Act; and generally relating to the legal rate of interest on a money judgment for a medical injury.

BY adding to

Article – Courts and Judicial Proceedings  
Section 11–107(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.



**Senate Bill 772 – Senators Raskin, Madaleno, and Montgomery**

AN ACT concerning

**Campaign Finance – Corporate Contributions and Independent Expenditures – Determination of Stockholder Preference**

FOR the purpose of prohibiting a Maryland corporation or a foreign corporation doing business in the State from making a contribution to a campaign finance entity or an independent expenditure unless a certain condition is met; authorizing a stockholder alleging a violation of certain provisions of this Act to bring an action directly against the directors of the corporation; providing that it is not a defense to certain actions that a director acted in accordance with certain provisions of law; authorizing a court to award certain damages for a violation of certain provisions of this Act; prohibiting a campaign finance entity from receiving a contribution made in violation of a certain provision of this Act; authorizing a stockholder alleging a violation of a certain provision of this Act to bring an action against a campaign finance entity; and generally relating to contributions to campaign finance entities and independent expenditures by corporations.

BY adding to

Article – Election Law

Section 13–238 and 13–245.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 773 – Senator Mathias**

AN ACT concerning

**Creation of a State Debt – Worcester County – Diakonia Housing Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of Diakonia, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 774 – Senators Mathias, Jennings, Klausmeier, Simonaire, and Young**

AN ACT concerning

**Income Tax – Subtraction Modification – Maryland Civil Air Patrol**

FOR the purpose of making certain members of the Maryland Civil Air Patrol eligible under certain circumstances for a certain subtraction modification under the Maryland income tax for qualifying volunteer fire, rescue, or emergency medical services members; providing that an individual may not qualify for the subtraction modification based on membership in the Maryland Civil Air Patrol unless the Maryland Civil Air Patrol maintains certain records and provides certain reports; providing for a delayed effective date; providing for the application of this Act; and generally relating to a State income tax subtraction modification for certain qualifying members of the Maryland Civil Air Patrol.

BY repealing and reenacting, without amendments,

Article – Tax – General

Section 10–208(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 10–208(i–1)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 775 – Senators King, Madaleno, Manno, Pinsky, and Young**

AN ACT concerning

**Education – Model Performance Evaluation Criteria – Implementation**

FOR the purpose of prohibiting the State Board of Education from requiring a certain model performance evaluation criteria to take effect unless certain conditions are met; and generally relating to the model performance evaluation criteria adopted by the State Board.

BY repealing and reenacting, with amendments,

Article – Education

Section 6–202(c)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 776 – Senator Pugh**

AN ACT concerning

**Task Force on the Use of Telehealth to Improve Maryland Health Care**

FOR the purpose of establishing the Task Force on the Use of Telehealth to Improve Maryland Health Care; providing for the membership, co–chairs, and staffing of the Task Force; providing for the duties of the Task Force; providing that a member of the Task Force may not receive certain compensation but is entitled to certain reimbursement; requiring the Task Force to provide certain reports to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force on the Use of Telehealth to Improve Maryland Health Care.

Read the first time and referred to the Committee on Finance.

**Senate Bill 777 – Senator Pugh**

AN ACT concerning

**Insurance – Ceding Insurers and Reinsurance**

FOR the purpose of requiring that a domestic ceding insurer be allowed credit for reinsurance in certain manners under certain circumstances; providing for certain credit for reinsurance to be allowed under certain circumstances depending on the licensure or authorization status and accreditation status of the assuming insurer; establishing certain requirements and procedures for an assuming reinsurer to be accredited by the Maryland Insurance Commissioner; providing that an assuming reinsurer is deemed to be qualified under certain circumstances; requiring an assuming reinsurer to report certain information each year to the Commissioner for certain purposes and to submit to examination in a certain manner; prohibiting credit for reinsurance to be granted unless a certain trust has been approved by a certain official; establishing certain requirements for certain trusts; providing for the duration of a certain trust; requiring the trustee of a certain trust to report and certify certain information to the Commissioner; establishing certain requirements for certain trusts used by certain insurers; providing for the certification of certain insurers as reinsurers in this State in accordance with certain requirements and procedures; requiring the Commissioner to maintain a certain list of qualified jurisdictions in which an assuming insurer may be domiciled and considered for certification; providing certain criteria for the Commissioner to consider in recognizing certain qualified jurisdictions; requiring the

Commissioner to consider a certain list of jurisdictions published through a certain association; requiring the Commissioner to assign certain ratings to certain certified reinsurers in a certain manner and to publish a list of the reinsurers and their ratings; authorizing the Commissioner to defer to the certification and rating assigned by certain jurisdictions under certain circumstances; providing for the maintenance of certification in an inactive status under certain circumstances; requiring a certified reinsurer to secure certain obligations in certain manners and forms and at certain levels; requiring the Commissioner to reduce certain allowable credit under certain circumstances; authorizing the Commissioner to suspend or revoke the accreditation or certification of a reinsurer in a certain manner under certain circumstances; limiting the qualification for credit of certain reinsurance contracts under certain circumstances; prohibiting certain credit if the assuming insurer is not licensed, accredited, or certified except under certain circumstances and in a certain manner; providing for the construction of a certain provision of this Act; providing for certain assets or reductions from liability for certain reinsurance in a certain manner under certain circumstances; requiring certain security to be in certain forms and held in certain places and certain institutions; requiring a ceding insurer to take certain steps to manage certain recoverables and to notify the Commissioner in certain manners; requiring a ceding insurer to diversify its portfolio and notify the Commissioner in certain manners; authorizing the Commissioner to adopt certain regulations; repealing certain obsolete provisions; defining certain terms; and generally relating to insurance and reinsurance.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 5–901

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Insurance

Section 5–902

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Insurance

Section 5–902.1 and 5–903 through 5–914

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing

Article – Insurance

Section 5–903, 5–904, and 5–905

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 778 – Senator Pugh**

AN ACT concerning

**Correctional Services – Inmate Welfare Fund – Telephone Financial Assistance**

FOR the purpose of requiring the Department of Public Safety and Correctional Services and the managing official of a local correctional facility with an inmate welfare fund to adopt certain regulations regarding the use of profits derived from telephone commissions; requiring that certain commissions be used for telephone calls between an inmate and the minor child of an inmate; requiring that distributions be made according to the financial need of an inmate; requiring the Department and the managing official of a local correctional facility to submit a report with certain information to the General Assembly; and generally relating to inmate welfare in correctional facilities.

BY repealing and reenacting, without amendments,

Article – Correctional Services

Section 10–501, 10–503, 10–504, 11–901, 11–903, and 11–904

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 10–502 and 11–902

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 779 – Senator King**

AN ACT concerning

**Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition**

FOR the purpose of altering the definition of “qualified Maryland biotechnology company” for purposes of the biotechnology investment tax credit to include a company that has been in active business for a certain period of time from a certain date; providing for the application of this Act; and generally relating to

credits against certain State taxes based on certain investments in certain biotechnology companies.

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 10–725(a)(1) and (6)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 10–725(a)(7)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 780 – Senator Peters**

AN ACT concerning

#### **Limited Lines Insurance Licenses – Self-Service Storage Agents**

FOR the purpose of authorizing the Maryland Insurance Commissioner to issue a limited lines license as a self-service storage agent to an owner or operator of a self-service storage facility who meets certain requirements; providing for the scope of the license; providing that an owner or operator is not required to be licensed under certain circumstances; requiring an applicant for a license to file a certain application with the Commissioner; providing that a self-service storage agent is not required to have a separate license for each self-service storage facility where insurance is offered or sold; requiring a self-service storage agent to provide certain notice to the Commissioner under certain circumstances; providing that a self-service storage agent is not required to meet certain continuing education requirements; prohibiting a self-service storage agent from offering or selling insurance unless the agent makes certain brochures or other written materials available to prospective occupants, certain costs related to the insurance are stated in writing, certain evidence of coverage is provided to occupants, and the insurance is provided by certain entities; authorizing employees or agents of a self-service storage agent to act in a certain manner regarding certain matters; requiring each self-service storage agent to provide a certain training program for employees and agents; establishing certain prohibited acts; providing for the construction of this Act; defining certain terms; and generally relating to licensing of self-service storage agents.

BY adding to  
Article – Insurance

Section 10–801 through 10–810 to be under the new subtitle “Subtitle 8.  
Self–Service Storage Agents”  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 781 – Senator Conway**

AN ACT concerning

**Pharmacists – Biosimilar Biological Products – Substitutions**

FOR the purpose of authorizing certain pharmacists to substitute certain biosimilar biological products for prescribed biological reference products only under certain circumstances; requiring certain pharmacists or their designees to give certain notices and record certain information on a certain label and record of dispensing under certain circumstances; requiring records of certain substitutions to be maintained for a certain number of years; providing certain pharmacists certain liability protections under certain circumstances; defining certain terms; and generally relating to the substitution of biosimilar biological products for biological reference products.

BY renumbering

Article – Health Occupations

Section 12–101(c) through (i), (j) through (t), and (u) through (w), respectively to be Section 12–101(e) through (k), (n) through (x), and (z) through (bb), respectively

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12–101(a) and 12–504

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health Occupations

Section 12–101(c), (d), (l), (m), and (y) and 12–504.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 782 – Senator Pugh**

AN ACT concerning

**Correctional Services – Inmate Telephone Services – Contracts**

FOR the purpose of providing that inmate telephone services contracts are subject to certain procurement laws; requiring the Department of Public Safety and Correctional Services to award inmate telephone services contracts to the bidder who submits the bid with the lowest cost to the telephone user; prohibiting the Department from accepting or receiving telephone commissions in excess of the Department's reasonable operating cost for establishing and administering telephone system services to inmates; providing for the application of this Act; and generally relating to inmate telephone services.

BY adding to

Article – Correctional Services

Section 10–5A–01 to be under the new subtitle “Subtitle 5A. Inmate Telephone Services”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 783 – Senators Pugh, Benson, Forehand, Gladden, Kelley, Madaleno, Middleton, Montgomery, and Young**

AN ACT concerning

**State Board of Physicians – Naturopathic Doctors**

FOR the purpose of altering the composition of the State Board of Physicians to include a naturopathic doctor appointed by the Governor in a certain manner; establishing a Naturopathic Medicine Advisory Committee within the Board; providing for the composition of the Committee; specifying the term of a Committee member; requiring the Committee to elect a chair from among its members; providing for the duties of the Committee; requiring, beginning on a certain date, certain individuals to have a certain license before practicing naturopathic medicine in the State; prohibiting the Board from discriminating against an applicant or licensee for certain reasons; requiring an individual to meet certain requirements to qualify for a license; authorizing the Board to waive certain examination requirements under certain circumstances; requiring an applicant to submit certain information to the Board and pay a certain fee; requiring the Board to issue a license to any applicant who meets the requirements of this Act; specifying that a license authorizes a licensee to order and perform certain tests, dispense, order, or administer certain medicines, administer or perform certain therapies with a certain exception, dispense, administer, or order certain devices with a certain exception, provide health



education and counseling, perform certain musculoskeletal mobilization, perform minor office procedures under certain circumstances, and use certain routes of administration; specifying that a license does not authorize a licensee to prescribe, dispense, or administer certain substances or devices, perform certain procedures, use certain anesthetics, or take certain other actions; specifying that the Board may authorize a licensee to perform only certain procedures under certain circumstances; specifying the term of a license; requiring the Board to send certain information to licensees within a certain time period before a license expires; requiring the Board to renew a license under certain circumstances; authorizing the Board to place a licensee on inactive status under certain circumstances; requiring the Board to issue a license to a naturopathic doctor who is on inactive status under certain circumstances; requiring the Board to reinstate the license of a naturopathic doctor who failed to renew the license under certain circumstances; prohibiting a licensed naturopathic doctor from surrendering a license under certain circumstances; authorizing the Board to take certain disciplinary action against an applicant or a licensee for certain reasons; requiring certain persons to file a certain report with the Board within a certain time period; authorizing the Board to assess a certain monetary penalty on a person that fails to file a certain report; requiring the Board to investigate certain complaints; authorizing the Board to commence disciplinary action under certain circumstances; requiring the Board to give a certain individual an opportunity for a hearing before the Board and to give certain notice and hold the hearing in accordance with certain provisions of law; authorizing a certain individual to be represented by counsel; authorizing the Board to issue subpoenas and administer oaths under certain circumstances; authorizing a certain court to take certain action against an individual who disobeys a subpoena from the Board or an order by the Board; authorizing the Board to hear and determine a matter under certain circumstances; requiring certain individuals to pay certain costs under certain circumstances; requiring the Board to pass an order under certain circumstances; requiring the Board to expunge certain charges after a certain time period; requiring the holder of a license to surrender the license to the Board under certain circumstances; requiring the Board to return a license under certain circumstances; authorizing a person aggrieved by a decision of the Board to take certain action under certain circumstances; prohibiting the Board from reinstating a certain license under certain circumstances; requiring a licensed naturopathic doctor to follow certain federal, State, and local laws; authorizing a licensed naturopathic doctor to receive a certain fee; requiring a naturopathic doctor to display a certain notice under certain circumstances; prohibiting an individual from practicing naturopathic medicine in the State without a license; prohibiting certain individuals from making certain representations to the public, using certain titles, and using certain initials; establishing a certain short title; providing for the termination of this Act under certain circumstances; providing for the terms of the initial Committee members; providing that certain provisions of this Act do not limit certain rights; specifying the purposes of certain provisions of this Act; defining certain terms; requiring the State Board of Physicians to convene a certain workgroup

to study the development of a naturopathic formulary in the State; providing for the membership of the workgroup; requiring the workgroup to conduct a certain review, make certain recommendations, and provide a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the licensing of naturopathic doctors.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–202(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Health Occupations  
Section 14–5F–01 through 14–5F–29 to be under the new subtitle “Subtitle 5F.  
Naturopathic Doctors”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 784 – Senator Benson**

AN ACT concerning

#### **Employment Discrimination – Reasonable Accommodations for Disabilities Due to Pregnancy**

FOR the purpose of requiring an employer, if an employee requests a reasonable accommodation for a disability caused or contributed to by pregnancy, to explore with the employee certain means of reasonably accommodating the disability; requiring an employer to transfer an employee to a less strenuous or less hazardous position for a certain period of time under certain circumstances; authorizing an employer to require an employee to provide a certain certification from a health care provider under certain circumstances; requiring an employer to post in a certain location, and to include in a certain handbook, information concerning an employee’s rights to reasonable accommodations and leave for a disability caused or contributed to by pregnancy; prohibiting an employer from interfering with, restraining, or denying the exercise of, or the attempt to exercise, certain rights; providing that a certain provision of law may not be construed to affect any other provision of law relating to discrimination on the basis of sex or pregnancy or to diminish in any way certain coverage of pregnancy, childbirth, or a related medical condition; defining a certain term; and generally relating to reasonable accommodations for temporary disabilities due to pregnancy.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 20–601(a) through (d) and 20–606(a)(4)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 20–609  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 785 – Senators Pipkin, Colburn, and Jacobs**

AN ACT concerning

**Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems –  
Repeal**

FOR the purpose of repealing the authority of counties and municipalities in the State to use speed monitoring systems to enforce certain highway speed laws; repealing the authority to use work zone speed control systems to enforce certain highway speed laws within work zones; requiring the publishers of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct any references throughout the Code that are rendered incorrect by this Act and to describe any corrections in an editor’s note following the section affected; and generally relating to the repeal of provisions of law authorizing the use of speed monitoring and work zone speed control systems.

BY repealing  
Article – Transportation  
Section 21–809 and 21–810  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 786 – Senator Pipkin**

AN ACT concerning

**Criminal Procedure – Crimes of Violence Involving Firearms – Diminution  
Credits, Parole, and Plea Agreements**

FOR the purpose of prohibiting the earning of diminution credits to reduce the term of confinement of an inmate who is serving a sentence for a certain crime of violence involving a firearm in a State or local correctional facility; eliminating parole eligibility for a person who is serving a term of confinement for a certain crime of violence involving a firearm; providing that this Act does not restrict a certain authority of the Governor to pardon or remit a certain sentence; prohibiting a person who has been convicted of a certain crime of violence involving a firearm from entering into a plea agreement; providing for the construction of certain provisions of this Act; providing for the application of this Act; and generally relating to crimes of violence involving firearms.

BY repealing and reenacting, with amendments,  
Article – Correctional Services  
Section 3–702, 7–301, and 11–502  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Criminal Procedure  
Section 6–234  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 787 – Senator Pipkin**

EMERGENCY BILL

AN ACT concerning

**Queen Anne’s County – Turkey Hunting on Private Property – Sundays**

FOR the purpose of authorizing a person to hunt turkey on private property on certain Sundays in Queen Anne’s County; making this Act an emergency measure; and generally relating to turkey hunting on private property on Sundays.

BY repealing and reenacting, with amendments,  
Article – Natural Resources  
Section 10–410(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 788 – Senator Jones–Rodwell**

AN ACT concerning

**Task Force to Study Citations for Children and Law Enforcement Diversion Practices**

FOR the purpose of establishing the Task Force to Study Citations for Children and Law Enforcement Diversion Practices; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and to certain committees of the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Citations for Children and Law Enforcement Diversion Practices.

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 789 – Senators Pipkin, Colburn, and Jacobs**

AN ACT concerning

**Procurement – Preferences – Rural County Business Enterprise Participation**

FOR the purpose of establishing a certain participation goal for certain rural county business enterprises for certain procurement contracts; requiring certain solicitation documents to establish the degree of participation based on certain information; providing that certain provisions of this Act do not apply in certain circumstances; requiring a unit to award certain procurement contracts to certain bidders or offerors under certain circumstances; requiring the Board of Public Works to adopt certain regulations to implement this Act; requiring the Board to establish certain tracking and reporting procedures; requiring the Board to report annually on a certain program to the Legislative Policy Committee; establishing certain prohibited acts and certain penalties for certain violations; defining a certain term; and generally relating to procurement participation by rural county business enterprises.

BY adding to

Article – State Finance and Procurement

Section 14–701 through 14–705 to be under the new subtitle “Subtitle 7. Rural County Business Enterprise Participation”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 790 – Senator Manno**

AN ACT concerning

**Department of Health and Mental Hygiene – Advance Directive Registry –  
Fee and Date of Operation**

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to set a certain fee, by regulation, for certain services of the Advance Directive Registry; requiring the Department of Health and Mental Hygiene to take the steps necessary to make the Registry operational by a certain date; and generally relating to the Advance Directive Registry in the Department of Health and Mental Hygiene.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 5–620  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 5–622  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 791 – Senator Kelley**

AN ACT concerning

**Juvenile Law – Dispositions – Placement Guidance**

FOR the purpose of prohibiting the juvenile court, except under certain circumstances, from committing a child who has committed a certain offense to the Department of Juvenile Services for out-of-home placement; providing for the construction of this Act; and generally relating to juvenile law.

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 3–8A–19(d)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 792 – Senator Kelley**

AN ACT concerning

**Maryland Collaborative Reproduction Act**

FOR the purpose of establishing the Maryland Collaborative Reproduction Act; establishing the purposes of this Act; establishing certain rights and obligations of certain intended parents who use gamete or embryo donors to conceive a child through collaborative reproduction; establishing certain rights of a child conceived through collaborative reproduction; establishing that a gamete or embryo donor is not a parent of a child conceived through collaborative reproduction under certain circumstances; establishing that a gestational carrier agreement is enforceable in the State under certain circumstances; specifying certain requirements for parties who enter into a gestational carrier agreement; specifying certain requirements for the contents of a gestational carrier agreement; specifying the effect of the dissolution of the marriage or partnership of a gestational carrier or an intended parent on a gestational carrier agreement; prohibiting an embryo transfer from occurring under certain circumstances; specifying the effect of an unauthorized embryo transfer; specifying the effect of the death of an intended parent on a gestational carrier agreement; authorizing an intended parent to revoke consent to a gestational carrier agreement under certain circumstances; providing for the resolution of disputes under a gestational carrier agreement; authorizing a party to a gestational carrier agreement to file a petition for parentage; establishing the jurisdiction of a circuit court of the State over a petition for parentage under certain circumstances; specifying the required contents of a petition for parentage; requiring a court to issue an order of parentage under certain circumstances; establishing the legal effect of an order of parentage; requiring an order of parentage to be sealed under certain circumstances; requiring that, in the absence of an order of parentage, the parentage of a child born as the result of a gestational carrier agreement be determined in a certain manner; providing for the issuance of a birth certificate under certain circumstances; prohibiting certain persons who have been convicted of certain crimes from being involved in the business of collaborative reproduction; establishing certain criminal penalties; defining certain terms; providing for the application of this Act; making the provisions of this Act severable; and generally relating to the Maryland Collaborative Reproduction Act.

BY adding to

Article – Family Law

Section 5–901 through 5–914 to be under the new subtitle “Subtitle 9. Maryland Collaborative Reproduction Act”

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 793 – Senators Kelley, Benson, Currie, Montgomery, Pinsky, Pugh, and Robey**

AN ACT concerning

**Task Force to Study the Use of Private Diversion Programs**

FOR the purpose of establishing the Task Force to Study the Use of Private Diversion Programs; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Task Force to Study the Use of Private Diversion Programs.

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 794 – Senators Kelley and Forehand**

AN ACT concerning

**Real Property – Regulation of Common Ownership Community Managers**

FOR the purpose of creating the State Board of Common Ownership Community Managers in the Department of Labor, Licensing, and Regulation; providing for the composition of the Board and the appointment, terms, and expenses of the Board members; providing for the powers, duties, and functions of the Board; requiring an individual to be licensed by the Board before providing management services for a common ownership community under certain circumstances; specifying the qualifications for a license; providing for the issuance, fees, renewal, and reinstatement of a license; authorizing the Board to deny an applicant or reprimand a licensee under certain circumstances; requiring an individual to be issued a certificate by the Board before providing management services for a common ownership community under certain circumstances; specifying the qualifications for a certificate; providing for the issuance, fees, renewal, and reinstatement of a certificate; requiring a common ownership community to register with and pay a certain registration fee to the Board under certain circumstances; imposing certain duties on a licensee; requiring a contract to provide management services to include certain provisions under certain circumstances; prohibiting certain acts and imposing certain penalties for a violation of this Act; making certain provisions of this Act



subject to the Maryland Program Evaluation Act; establishing the State Board of Common Ownership Community Managers Fund; providing for the purpose, administration, composition, use, and audit of the Fund; requiring the Secretary, in consultation with the Board, to calculate certain costs annually; authorizing the Board to set certain fees, based on certain calculations; prohibiting a fee established by the Board from being increased by more than a certain percentage annually; specifying the terms of the initial members of the Board; providing that a certain examination shall satisfy certain examination requirements for a license under certain circumstances; requiring the Board to grant a waiver of certain training and examination requirements for licensing under certain circumstances; authorizing the Department of Budget and Management to advance certain funds to the Board and requiring the Board to reimburse certain funds under certain circumstances; defining certain terms; and generally relating to the regulation of common ownership community managers.

BY renumbering

Article – Business Regulation  
Section 2–108(a)(10) through (33), respectively  
to be Section 2–108(a)(11) through (34), respectively  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY renumbering

Article – State Government  
Section 8–403(b)(13) through (69), respectively  
to be Section 8–403(b)(14) through (70), respectively  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Occupations and Professions  
Section 22–101 through 22–802 to be under the new title “Title 22. Common  
Ownership Community Managers”  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Regulation  
Section 2–106.9, 2–106.10, and 2–108(a)(10)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government  
Section 8–403(a)  
Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Government

Section 8–403(b)(13)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 795 – Senators Pipkin, Colburn, Jacobs, and Reilly**

AN ACT concerning

**Oyster Dredging – Waters North of the Chesapeake Bay Bridge and Kent Narrows Bridge**

FOR the purpose of adding the waters of Anne Arundel County, Baltimore County, Cecil County, Harford County, Kent County, and Queen Anne’s County that lie north of the Chesapeake Bay Bridge and the Kent Narrows Bridge to the areas of State waters in the Chesapeake Bay where a person may catch oysters by dredge; and generally relating to oyster dredging in the Chesapeake Bay.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4–1012

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 796 – Senators Middleton and Klausmeier**

AN ACT concerning

**Agriculture – Easements – Renewable Energy Generation Facilities**

FOR the purpose of requiring, on written request of a landowner in an application to purchase an easement, an easement to authorize the landowner to use the land subject to the easement for renewable energy generation under certain circumstances; requiring, on written request of a landowner, the Maryland Agricultural Land Preservation Foundation to amend an easement to authorize the landowner to use the land subject to the easement for renewable energy generation under certain circumstances; requiring the Foundation to adopt certain regulations; defining certain terms; and generally relating to use of land under an easement held by the Foundation.

BY repealing and reenacting, without amendments,  
Article – Agriculture  
Section 2–509  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Agriculture  
Section 2–513(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Agriculture  
Section 2–513(c)  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Utilities  
Section 7–701(l) and (m)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Finance.

### **Senate Bill 797 – Senator Middleton**

AN ACT concerning

#### **Renewable Energy Portfolio Standard – Wood– and Plant–Derived Biomass Systems**

FOR the purpose of providing that energy from a certain wood– and plant–derived biomass system is eligible for inclusion in meeting the renewable energy portfolio standard; providing that a person that owns a wood– and plant–derived biomass system shall receive a certain renewable energy credit calculated in a certain manner; requiring the Public Service Commission to adopt certain regulations for the metering, verification, and reporting of energy output from wood– and plant–derived biomass systems; providing that energy produced by a wood– and plant–derived biomass system shall be eligible for inclusion in meeting the renewable energy portfolio standard for certain compliance years; defining certain terms; altering certain definitions; providing for the effective date of this Act; and generally relating to the renewable energy portfolio standard and wood– and plant–derived biomass systems.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–701  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Public Utilities  
Section 7–704(j)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 798 – Senators Middleton, Astle, Colburn, Edwards, Kittleman,  
Mathias, Montgomery, and Pugh**

AN ACT concerning

**Hospitals – Credentialing and Privileging Process – Telemedicine**

FOR the purpose of authorizing a hospital, in its credentialing and privileging process for a physician who provides medical services to patients at the hospital only through telemedicine from certain locations, to rely on certain credentialing and privileging decisions under certain circumstances; defining a certain term; and generally relating to hospital credentialing and privileging processes for physicians providing services through telemedicine.

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–319(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 799 – Senators Middleton, Astle, Conway, and Garagiola**

AN ACT concerning

**Energy – Landfill Diversion – Municipal Solid Waste Portfolio Standard**

FOR the purpose of establishing a municipal solid waste portfolio standard; requiring the Department of the Environment to implement and manage a municipal solid waste portfolio standard for each county in the State during certain years; requiring each county to submit a certain report each year to the Department;

requiring each county to pay certain compliance fees into the Maryland Strategic Energy Investment Fund under certain circumstances; limiting what the fees paid into the Fund may be used for; providing that the Department has certain power and authority to implement certain provisions of law; requiring that the Department, by a certain date, designate an individual to oversee compliance with the municipal solid waste portfolio standard requirements; stating the duties of the individual that oversees compliance with the municipal solid waste portfolio standard requirements; requiring the Department to provide a certain status report to the General Assembly, the Maryland Energy Administration, and the Public Service Commission on or before a certain date; requiring the Department to adopt regulations to implement the provisions of this Act; altering one of the purposes of the Maryland Strategic Energy Investment Program; requiring the Administration to provide funding assistance to implement the purposes of the municipal solid waste portfolio standard; adding compliance fees from the municipal solid waste portfolio standard as a revenue source for the Fund; requiring that the Administration use the Fund to provide assistance to implement the purposes of the municipal solid waste portfolio standard; requiring that the Administration's report on the uses and expenditures of the Fund include certain information related to the municipal solid waste portfolio standard; specifying the intent and findings of the General Assembly; defining certain terms; making conforming changes; and generally relating to the establishment of a municipal solid waste portfolio standard.

BY adding to

Article – Public Utilities

Section 7–801 through 7–807 to be under the new subtitle “Subtitle 8.  
Municipal Solid Waste Portfolio Standard”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 9–20B–02

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–20B–03 through 9–20B–05 and 9–20B–12

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 800 – Senator Jones–Rodwell**

AN ACT concerning

**Task Force to Study Phased Retirement for Maryland State Employees**

FOR the purpose of establishing the Task Force to Study Phased Retirement for Maryland State Employees; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding a phased retirement option for certain State employees; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Phased Retirement for Maryland State Employees.

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 801 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension Systems – Cost–of–Living Adjustments – Simplification and Clarification**

FOR the purpose of clarifying the calculation of cost–of–living adjustments for certain State retirement or pension systems; clarifying the applicability of certain cost–of–living adjustments to certain State retirement or pension systems and to certain participants in those systems; consolidating provisions relating to cost–of–living adjustments that apply to all of the cost–of–living adjustments, including the timing of the initial adjustment, types of benefits to which a cost–of–living adjustment does not apply, the application of a zero rate under certain circumstances, and a certain additional adjustment following a fiscal year in which a zero rate adjustment is applied; clarifying the calculation of cost–of–living adjustments for certain participants in certain Deferred Retirement Option Programs; repealing a certain obsolete provision; making technical and conforming changes; defining certain terms; and generally relating to cost–of–living adjustments to certain allowances provided by certain State retirement or pension systems.

BY repealing

Article – State Personnel and Pensions

Section 29–401 through 29–432 and the subtitle “Subtitle 4. Cost–of–Living Adjustments”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 21–113(a), 22–219(b)(2), 22–220(b)(2), 22–221(e), 23–218(2),  
23–226(a)(2), 24–401(e), 24–401.1(h)(2)(ii) and (j)(1) and (2), 26–210(a)(2),  
and 26–401.1(h)(2)(ii) and (j)(1) and (2)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Personnel and Pensions

Section 29–401 through 29–409 and the subtitle “Subtitle 4. Cost-of-Living  
Adjustments”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 802 – Senators Klausmeier, Brochin, DeGrange, Jacobs,  
Montgomery, and Stone**

AN ACT concerning

**Department of Human Resources – Adoption Awareness Program**

FOR the purpose of requiring the Department of Human Resources to collaborate with certain interest groups to prepare certain educational materials; specifying the contents and formats of the educational materials; requiring the educational materials to be updated periodically and distributed in consultation with certain interest groups; requiring the educational materials to be provided at no cost to certain organizations; requiring a certain brochure to be available on the Department’s Web site and supplemented by certain additional information; and generally relating to adoption awareness and the provision of materials related to adoption.

BY adding to

Article – Family Law

Section 5–3C–01 to be under the new subtitle “Subtitle 3C. Adoption Awareness  
Program”

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 803 – Senator Klausmeier**

AN ACT concerning

**Motor Vehicle Liability Insurance – Personal Injury Protection and  
Uninsured Motorist Coverages – Limitation**

FOR the purpose of providing that a motor vehicle liability insurance policy may provide that, in a certain action for uninsured or underinsured motorist coverage arising out of the same accident or occurrence as a certain action for personal injury protection, a certain insurer may offset certain payments received for personal injury protection for certain damages; providing that a certain motor vehicle liability insurance policy may provide that certain benefits may be offset under certain coverage for certain elements; providing that certain sections may not be construed to provide less than full indemnification to a certain insured; and generally relating to motor vehicle liability insurance and personal injury protection and uninsured motorist coverages.

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 19–509.1 and 19–513(b) and (e)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 804 – Senator Klausmeier**

AN ACT concerning

**Labor and Employment – Health Care Facilities – Workplace Violence  
Prevention Program**

FOR the purpose of requiring a certain health care facility, on or before a certain date, to establish a certain workplace violence prevention committee; requiring the workplace violence prevention committee, on or before a certain date, to establish a certain workplace violence prevention program; requiring a workplace violence prevention program to include certain components; requiring the Department of Labor, Licensing, and Regulation, on or before a certain date, to adopt certain regulations; defining certain terms; and generally relating to the workplace violence prevention programs of health care facilities.

BY adding to  
Article – Labor and Employment  
Section 5–1101 through 5–1103 to be under the new subtitle “Subtitle 11.  
Health Care Facilities – Workplace Violence Prevention Program”  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.



**Senate Bill 805 – Senator Klausmeier**

AN ACT concerning

**Transportation – State Highway Administration – Sale or Lease of Highway Naming Rights**

FOR the purpose of authorizing the State Highway Administration to sell or lease to a private entity the naming rights for a State highway or any part of a State highway; requiring the term of a contract for the sale or lease of naming rights for a State highway to be at least a certain period; prohibiting the State Highway Administration from selling or leasing highway naming rights under this Act unless the Administration makes a certain determination regarding compliance of the proposed use of the naming rights with federal regulations and the distribution of certain federal funds; providing that a sale or lease of naming rights for a State highway may not be construed to require that any highway sign or mailing address be altered; authorizing a private entity that purchases or leases the naming rights for a State highway to erect certain outdoor signs along the highway; requiring a private entity that erects outdoor signs along a State highway under this Act to pay all costs associated with the signs; requiring outdoor signs erected by a private entity along a State highway to comply with certain requirements; requiring proceeds from the sale or lease of naming rights for a State highway to be credited to the Transportation Trust Fund; defining certain terms; and generally relating to the sale or lease of naming rights for State highways.

BY repealing and reenacting, without amendments,

Article – Transportation  
Section 8–604  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Transportation  
Section 8–604.1  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 806 – Senator Conway**

AN ACT concerning

**Alcoholic Beverages Sales – Prohibition on Use of Self-Scanning Cash Registers**

FOR the purpose of making it a misdemeanor for a retail alcoholic beverages licensee to sell alcoholic beverages by means of a self-scanning cash register or a certain other automated system that may be operated on a self-service basis by a customer; providing certain penalties; and generally relating to the retail sale of alcoholic beverages.

BY adding to

Article 2B – Alcoholic Beverages

Section 12-108.1

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 807 – Senators Pipkin, Brinkley, Brochin, Colburn, Edwards, Getty, Jacobs, Jennings, Muse, Reilly, Shank, and Stone**

EMERGENCY BILL

AN ACT concerning

**Elementary and Secondary Education – Security – School Resource Officers**

FOR the purpose of requiring each county superintendent of schools to enter into an agreement with an appropriate law enforcement agency to provide a full-time school resource officer to each public elementary and secondary school; providing that additional funding required for certain school resource officers shall be paid from the Education Trust Fund from funds allocated from a certain source; making this Act an emergency measure; and generally relating to school resource officers.

BY repealing and reenacting, with amendments,

Article – Education

Section 26-102

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9-1A-30

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 808 – Senators Pipkin and Jacobs**

AN ACT concerning

**Public Senior Higher Education Institutions – Institution Management – Admissions Requirements**

FOR the purpose of requiring each public senior higher education institution to maintain its total student body in a certain manner; and generally relating to admission requirements for public senior higher education institutions.

BY adding to

Article – Education

Section 12–104.2

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 809 – Senator Frosh**

AN ACT concerning

**Maryland Legal Services Corporation Funding – Abandoned Property Funds**

FOR the purpose of altering the distributee of certain abandoned property funds that the Comptroller is required to distribute each year; altering the amount that the Comptroller is required to distribute; repealing certain provisions of law requiring the Governor to appropriate a certain amount in certain budgets each year to the Maryland Legal Services Corporation Fund; repealing certain provisions of law authorizing the Governor to transfer a certain amount to the Fund from a certain portion of abandoned property funds; altering a certain source of money in the Fund; and generally relating to Maryland Legal Services Corporation funding.

BY repealing and reenacting, with amendments,

Article – Commercial Law

Section 17–317(a)

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 11–401 and 11–402  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 810 – Senators Jones–Rodwell and DeGrange**

AN ACT concerning

**Coaches – Sexual Contact with Minors – Prohibition**

FOR the purpose of prohibiting a certain coach from engaging in a sexual act, sexual contact, or vaginal intercourse with a minor under certain circumstances; providing for a certain statute of limitations for the prosecution of a violation of this Act; defining a certain term; and generally relating to a sexual offense involving a coach and a minor under certain circumstances.

BY repealing and reenacting, without amendments,  
Article – Criminal Law  
Section 3–307  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 3–308  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 5–106(z)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 811 – Senator Rosapepe**

AN ACT concerning

**Procurement – Investment Activities in Iran – Board of Public Works  
Authority to Adopt Regulations**

FOR the purpose of requiring the Board of Public Works to adopt certain regulations if the Board determines that certain acts, laws, or amendments authorize or

require the reduction of certain dollar amounts or alteration of certain parameters relating to certain investment activities in Iran; clarifying the intent of the General Assembly; requiring the Department of Legislative Services to provide certain written notice concerning certain legislation to the Attorney General of the United States; clarifying that certain legislation that amends certain provisions of law is severable; providing for the termination of certain legislation that amends certain provisions of law; requiring the Board to notify the Department of Legislative Services of certain events within a certain time period; and generally relating to persons that engage in investment activities in Iran and the authority of the Board of Public Works to adopt regulations.

BY repealing and reenacting, without amendments,  
Article – State Finance and Procurement  
Section 17–701, 17–703, and 17–707  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–702  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 447 of the Acts of the General Assembly of 2012  
Section 2 through 5

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 812 – Senator Rosapepe**

AN ACT concerning

#### **Tuition Cap and College Opportunity Act of 2013**

FOR the purpose of requiring the Maryland Higher Education Commission to appoint a certain group to assess and report annually on meeting certain goals so that certain institutions are comparable and competitive; requiring the Commission to assess annually the State's and an institution's progress toward certain goals and to display the progress in an online format; requiring the Commission to update periodically certain information for certain purposes; requiring the State to provide certain General Fund support for the University System of Maryland and Morgan State University; requiring the State to set certain funding at certain levels as compared to a group of peer institutions in certain states; limiting the annual increase in tuition and fees that may be charged each

academic year for certain students under certain circumstances; requiring the Governor to include in the annual budget submission for certain fiscal years a certain amount of State General Fund support for the University System of Maryland and Morgan State University; requiring additional State funds to be used for certain priorities; requiring the Governor to include in the annual budget submission supplemental funding to certain institutions to be used for certain purposes; requiring performance accountability plans to include graduation rates as the primary indicator of performance for certain institutions; requiring the Board of Regents of the University System of Maryland to submit a biannual report beginning on a certain date regarding certain policies and procedures; authorizing a governing board to develop a pilot tuition plan for certain purposes, subject to certain restrictions; requiring the Commission to develop and implement a graduated scale for certain grants based on certain criteria; modifying a certain award amount for a certain scholarship program; requiring the Commission to modify certain grants based on certain criteria; declaring the intent of the General Assembly; requiring certain reports to be submitted to the General Assembly on or before certain dates; defining certain terms; and generally relating to State support for higher education institutions and tuition at those institutions in Maryland.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 10–203(a) and 15–106.6(b)(1) and (c)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 11–105(f)(1) and (h), 11–305, 15–106.6(c)(2), and 18–304(a) and (b)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Education  
Section 11–108, 12–117, and 15–106.9  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation and the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 813 – Senator Shank**

AN ACT concerning

**State Retirement and Pension System – Service Credit for Unused Sick Leave**

FOR the purpose of making certain members of the State Retirement and Pension System eligible to receive creditable service at retirement for unused sick leave accumulated as a member of a former system in the State Retirement and Pension System under certain circumstances; providing for the computation of the creditable service for unused sick leave accumulated in the former State system; requiring the Department of Legislative Services to provide a certain report on or before a certain date; and generally relating to additional creditable service at retirement for unused sick leave for members of the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 20–206  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 814 – Senator Shank**

AN ACT concerning

**Washington County – Salary Study Commission – Updating Salary Provisions  
– Membership**

FOR the purpose of updating certain provisions concerning the salaries of certain county officials; altering the membership of the Washington County Salary Study Commission; and generally relating to the Washington County Salary Study Commission.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 15–109(w)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 12–203(b)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article 24 – Political Subdivisions – Miscellaneous Provisions  
Section 12–205  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article 25 – County Commissioners  
Section 51(q)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–1302  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 2–108(v)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 815 – Senator Shank**

AN ACT concerning

### **Nonpublic Schools – Epinephrine Availability and Use – Policy and Immunity**

FOR the purpose of authorizing nonpublic schools in the State to establish a policy to authorize certain school personnel to administer auto-injectable epinephrine to certain students under certain circumstances; requiring a certain policy to include certain information; providing that a nonpublic school and certain school personnel have certain immunity from civil liability except in certain circumstances; defining certain terms; and generally relating to an epinephrine availability and use policy in nonpublic schools in the State.

BY adding to  
Article – Education  
Section 7–426.3  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

### **Senate Bill 816 – Senator Shank**



AN ACT concerning

**Courts – Civil Action for Embezzlement by Employee**

FOR the purpose of establishing that a certain employee is civilly liable to a certain employer if, under certain circumstances, the employee appropriates or secretes money or a thing of value held in an employment capacity; providing for the award of damages, prejudgment interest, and certain costs and fees; establishing that a certain criminal prosecution is not a prerequisite to maintenance of an action under this Act; providing that a criminal prosecution is not precluded by recovery of damages under this Act; establishing that the payment of damages under this Act is not admissible in certain proceedings for certain purposes; requiring a civil action brought under this Act to be filed within a certain period of time; authorizing a court to issue a preliminary injunction under certain circumstances; authorizing a court to require certain expedited discovery; establishing the standard of proof in a civil action under this Act; establishing that this Act does not affect certain causes of action, defenses, or immunities; providing for the application of this Act; and generally relating to a civil cause of action for embezzlement by an employee.

BY adding to

Article – Courts and Judicial Proceedings

Section 3–1901 through 3–1907 to be under the new subtitle “Subtitle 19. Civil Action for Embezzlement by Employee”

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 817 – Senator Shank**

AN ACT concerning

**Criminal Law – Informants – Identity of Minors**

FOR the purpose of prohibiting the State from disclosing until the start of a criminal trial the identity of a minor who has furnished information about an alleged criminal offense to certain persons; and generally relating to the identity of minors in criminal proceedings.

BY adding to

Article – Criminal Procedure

Section 11–305

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 818 – Senator Frosh**

AN ACT concerning

**Community Juvenile Services Program**

FOR the purpose of establishing the Community Juvenile Services Program; requiring the Governor to appoint a State Coordinator for Community Juvenile Services; establishing the compensation of the State Coordinator; establishing the Community Juvenile Services Committee; providing for the membership and duties of the Committee; establishing the purpose of the Program; authorizing counties to participate in the Program by developing a certain local plan; specifying the contents of a local plan; requiring a county to submit a local plan to the State Coordinator for review by the Committee; requiring a county to reimburse the Department of Juvenile Services for certain costs under certain circumstances; requiring the State Coordinator and the Committee to submit a certain annual report on or before a certain date; establishing the duties of the State Coordinator; authorizing the State Coordinator to adopt certain regulations; defining certain terms; and generally relating to the Community Juvenile Services Program.

BY adding to

Article – Human Services

Section 9–249 through 9–253 to be under the new part “Part III. Community Juvenile Services Program”

Annotated Code of Maryland

(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 819 – Senators DeGrange, Glassman, Jennings, Klausmeier, Middleton, and Peters**

AN ACT concerning

**Maryland Contributory Negligence Act**

FOR the purpose of establishing that the common law doctrine of contributory negligence, as it existed under its judicially determined meaning on a certain date, shall remain an affirmative defense that may be raised by a party under certain circumstances; defining a certain term; providing for the scope of this Act; making this Act contingent on certain action taken by the Court of Appeals of Maryland; and generally relating to certain actions for damages and contributory negligence.

BY adding to

Article – Courts and Judicial Proceedings

Section 11–2A–01 to be under the new subtitle “Subtitle 2A. Maryland  
Contributory Negligence Act”

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Judicial Proceedings.

**Senate Bill 820 – Senator Benson (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund) and Senators Rosapepe, Astle, Conway, Jennings, Madaleno, Manno, Montgomery, Pinsky, Pugh, Raskin, Stone, Young, and Zirkin**

AN ACT concerning

**Animal Welfare – Spay/Neuter Fund – Establishment**

FOR the purpose of establishing the Spay/Neuter Fund within the Department of Agriculture; stating the purpose of the Fund; requiring the Department to administer the Fund; specifying the contents of the Fund; requiring the Department to establish a certain surcharge on commercial animal feed and deposit the revenue into the Fund; authorizing the Fund to be used to establish a statewide voucher program to support the provision of spay/neuter services; establishing certain income–based eligibility criteria for the voucher program; requiring the Department to negotiate certain rates for the provision of low cost spay and neuter surgeries and rabies shots under the voucher program; requiring the Department to set a nominal copayment to be made by a participating eligible individual under the voucher program; requiring the Department to deposit all money received for copayments into the Fund; authorizing an eligible individual to purchase a voucher from the Department after taking certain action; requiring the Department to provide certain information to an eligible individual who purchases a voucher; authorizing an eligible individual who purchases a voucher to redeem the voucher for a free spay or neuter surgery and, if necessary, rabies shot at a participating veterinarian; prohibiting a participating veterinarian from billing an eligible individual for certain additional charges; authorizing a participating veterinarian to submit a redeemed voucher to the Department for reimbursement at a certain rate; authorizing the Fund to be used to establish a competitive grant program to support the provision of spay/neuter services; requiring the Department to solicit grant proposals and evaluate the proposals based on certain standards; establishing the Spay/Neuter Advisory Board; providing for the composition and the chair of the Advisory Board; requiring the Department to provide staff support for the Advisory Board; providing that a member of the Advisory Board may not receive compensation for service on the Advisory Board but is entitled to reimbursement for certain expenses; establishing the duties of the Advisory Board; authorizing the Department to

use money in the Fund to finance certain public education and outreach programs; requiring the Department to adopt certain regulations; providing that the Fund is a special, nonlapsing fund; requiring the State Treasurer to hold the Fund separately and invest the money of the Fund; requiring the Comptroller to account for the Fund; requiring certain local agencies and organizations to report certain information to the Department in a certain manner at certain time intervals; requiring the Department to report certain information annually by a certain date to the Governor and the General Assembly; adding the Fund to the list of exceptions to the requirement that the earnings of special funds accrue to the General Fund; providing for the termination of this Act; defining certain terms; and generally relating to animal welfare and the establishment of the Spay/Neuter Fund.

BY adding to

Article – Agriculture  
Section 2–303.1 and 6–107.4  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Agriculture  
Section 6–103 and 6–107  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)69. and 70.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)71.  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 821 – Senator Young**

AN ACT concerning

**Food Processing Plants – License Fees – Farms and Civic and Nonprofit Organizations**

FOR the purpose of limiting to a certain amount the fee that may be charged for a food processing plant license under certain provisions of law to certain farms and civic and nonprofit organizations, under certain circumstances; and generally relating to license fees for food processing plants.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 21–301(g)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–308  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 822 – Senators Madaleno and Montgomery**

AN ACT concerning

**Mental Health and Substance Use Disorder Safety Net Act of 2013**

FOR the purpose of requiring the Department of Public Safety and the Department of Health and Mental Hygiene (DHMH) to establish a certain Prison In–Reach Program; requiring each county board of education to include behavioral health services with school health services; requiring DHMH to report to the Governor and the General Assembly on or before a certain date on a plan for statewide implementation of the School Health Program; requiring the Alcohol and Drug Abuse Administration to implement a certain program throughout the State to promote early identification of substance abuse; requiring the Director of the Mental Hygiene Administration to provide a certain annual report to the Governor and the General Assembly on the progress of the Administration in implementing certain evidence–based practices; requiring DHMH to develop a certain reimbursement methodology for the reimbursement of community behavioral health providers; requiring DHMH to implement a certain plan to provide funding support for community behavioral health providers; requiring the Governor to provide certain funding in certain fiscal years in a certain manner for providing housing assistance and residential levels of care for

certain individuals; requiring the Mental Hygiene Administration to require each core service agency to enter into memoranda of understanding with local detention centers to establish a certain data sharing initiative; requiring the Mental Hygiene Administration, in coordination with the Department of Aging and core service agencies, to implement a certain geriatric behavioral health specialist program; requiring the Governor to include in the annual budget bill certain funding to implement the Maryland Mental Health Crisis Response System; requiring the Mental Hygiene Administration to implement a certain Mental Health First Aid program; requiring DHMH and the State Department of Education, in collaboration with certain schools, to implement a Behavioral Health Integration in Pediatric Primary Care program (B–HIPP); providing for the purpose of B–HIPP; requiring B–HIPP to provide certain services; requiring the Governor to include in the annual budget bill certain funding for B–HIPP; repealing a certain provision of law that makes the Maryland Mental Health Crisis Response System contingent on the receipt of certain funding; repealing a certain provision of law that makes contingent on the receipt of certain funding the requirement that DHMH suspend, instead of terminate, Maryland Medical Assistance Program benefits for certain individuals who are incarcerated or admitted to an institution for the treatment of mental disease; stating the intent of the General Assembly; requiring DHMH to conduct a certain examination of certain funding sources and to provide a certain report, on or before a certain date, to the Governor and the General Assembly; defining a certain term; and generally relating to mental health, substance use disorder, and behavioral health services.

BY adding to

Article – Correctional Services  
Section 9–614  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education  
Section 7–401(a) and 7–415  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health – General  
Section 8–1101 to be under the new subtitle “Subtitle 11. Early Intervention Services”; 10–906, 10–907, 10–1204, 10–1205, and 10–1501 to be under the new subtitle “Subtitle 15. Mental Health First Aid”; and 10–1601 through 10–1605 to be under the new subtitle “Subtitle 16. Behavioral Health Integration in Pediatric Primary Care Program”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 10–207  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 10–1404  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)  
(As enacted by Chapter 82 of the Acts of the General Assembly of 2005)

BY repealing  
Chapter 371 of the Acts of the General Assembly of 2002  
Section 2

BY repealing  
Chapter 82 of the Acts of the General Assembly of 2005  
Section 2

Read the first time and referred to the Committee on Finance.

**Senate Bill 823 – Senators Madaleno, Currie, Garagiola, and King**

AN ACT concerning

**Pipe Tobacco and Premium Cigars – Direct Sale and Shipment to Consumers**

FOR the purpose of establishing a direct tobacco shipper's permit to be issued by the Office of the Comptroller; requiring a person to obtain a certain permit before the person may engage in selling and shipping pipe tobacco or premium cigars directly to a consumer in the State; requiring an applicant to submit a certain application and pay a certain fee; providing for the scope of the permit; specifying the term of the permit; requiring a direct tobacco shipper to perform certain actions; requiring a direct tobacco shipper to meet certain requirements to renew the permit; authorizing the Office to deny a renewal application under certain circumstances; specifying certain requirements for receiving a direct shipment of pipe tobacco or premium cigars; authorizing the Office to issue a common carrier permit to certain persons; requiring a common carrier permit applicant to submit a certain application and pay a certain fee; providing for the scope of the common carrier permit; specifying the term of the permit; requiring a common carrier to submit certain information to the Office in a certain manner at certain times; requiring a common carrier to verify certain information each year in a certain manner; requiring a common carrier to maintain certain records for a certain period; authorizing the Office to adopt certain regulations; prohibiting a person without a permit from selling and

shipping pipe tobacco or premium cigars directly to consumers in the State; providing that each violation of certain provisions is a separate violation; establishing certain penalties; requiring certain direct tobacco shippers to complete and file with the Office a certain tobacco tax return; defining certain terms; providing for the application of certain provisions of this Act; and generally relating to direct tobacco shipper's permits and the direct sale and shipment to consumers of pipe tobacco and premium cigars.

BY adding to

Article – Business Regulation

Section 16.7–101 through 16.7–115 to be under the new title “Title 16.7. Direct Tobacco Shippers’ Permits”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General

Section 12–204

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**Senate Bill 824 – Senators Kittleman, Astle, Brochin, Colburn, Edwards, Garagiola, Klausmeier, Raskin, Robey, and Simonaire**

AN ACT concerning

**Income Tax Credit – Classroom Expenses for Teachers**

FOR the purpose of allowing an individual who is a teacher a credit against the State income tax for classroom expenses and supplies; providing that the credit may not exceed the State income tax for the taxable year and that any unused credit may not be carried over to any other taxable year; requiring the Comptroller to adopt certain regulations; providing for the application of this Act; and generally relating to a credit against the State income tax for classroom expenses for teachers.

BY adding to

Article – Tax – General

Section 10–733

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 825 – Senators Kittleman, Brinkley, and Jacobs**



AN ACT concerning

**Open Meetings Act – Public Body – Definition**

FOR the purpose of altering the definition of “public body” for the purposes of the Open Meetings Act to include a multimember subcommittee of a standing committee of either house of the General Assembly; and generally relating to the Open Meetings Act.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–502(h)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 826 – Senators Kittleman and Robey**

AN ACT concerning

**Open Meetings Act – Violations and Penalties**

FOR the purpose of requiring that a certain public body take a certain action if the State Open Meetings Law Compliance Board determines that a certain violation of the Open Meetings Act has occurred; repealing a certain prohibition on the introduction of certain opinions issued by the Board as evidence in certain proceedings; altering certain penalties for certain violations; and generally relating to the Open Meetings Act.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 10–502.5(i) and 10–511  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing  
Article – State Government  
Section 10–502.5(j)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 10–510(b)

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Education, Health, and Environmental Affairs.

**Senate Bill 827 – Senator Garagiola**

AN ACT concerning

**Streamlined Tax Administration Act of 2013**

FOR the purpose of transferring certain powers and duties of the Comptroller to the Secretary of Labor, Licensing, and Regulation including the regulation and taxation of alcoholic beverages, cigarettes and other tobacco products, motor carriers, and motor fuel and the regulation of certain transient vendors; creating a Division of Business Regulation and Taxation in the Department of Labor, Licensing, and Regulation; authorizing the Secretary to delegate certain powers and duties; creating a Business Regulation and Taxation Fund; requiring the Secretary to pay the Comptroller certain license fees; altering the distribution of certain license fees and certain proceeds from the alcoholic beverages tax, motor carrier tax, motor fuel tax, and tobacco tax; authorizing the Secretary to make certain disclosures relating to taxpayer identity under certain circumstances; providing for the transfer of certain functions, powers, duties, equipment, assets, liabilities, employees, and appropriations; providing for certain rights of employees who are transferred under this Act; providing for the continued validity of certain transactions and certain rights, duties, or interests following from certain transactions; providing for the continuance of certain laws, rules and regulations, other administrative acts and related matters, administrative and judicial responsibilities, rights to sue and be sued and certain other duties and responsibilities; requiring the publisher of the Annotated Code of Maryland to make certain corrections to the Code under certain circumstances; making certain stylistic and conforming changes; defining certain terms; altering certain definitions; and generally relating to the transfer of certain powers and duties of the Comptroller to the Secretary of Labor, Licensing, and Regulation.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 1–101(a)(2), 1–102(a)(16) and (24) through (28), 1–201(a)(5), (d), and (f)(3) through (7), 2–101(a), (b)(1), (5), and (6)(i), (d), (f), (h)(2), (i)(1), (k), (m)(1) and (9), (o)(3), (10), (11), (12), and (14), (p)(1) and (4), (q), (s)(6) and (8), (t)(2)(iii) and (6), (u)(1), (2), (3), (5), (7)(ii)2., (8)(ii)2., (9)(ii)2., (10)(ii)2., and (11)(ii)2., (v), (w)(1) and (4), (x)(3) and (5)(ii), and (y)(1), 2–202(f), 2–203(e), 2–205(b)(9), (d)(1) and (6)(ii), and (f), 2–206(c)(1) and (7), 2–207(a)(1), (f), (i)(2), and (j), 2–208(b)(1), (h), and (j)(2), 2–209(c)(1) and (5)(ii), (d)(2), and (e)(1) and (2), 2–301(b)(6), 2–402(a), 5–501(a) and (d),

6-501(b) and (c), 6-502(b) and (c), 6-503(b) and (c), 6-701(b), (g)(2), (j)(1), and (m), 6-703.2(h)(2), 7-101(a)(1) and (2), (f), and (n)(2), 7.5-102, 7.5-104(a)(1) and (2) and (b), 7.5-107(a)(2), (4), (6), and (7), 7.5-108(a)(2) and (3) and (b), 7.5-110(e) and (f), 7.5-111(a), 7.5-112, 8-301(e)(1)(i)2., 8-302(e)(1)(i)2., 8-306.1(e)(2)(i), 8-307(e)(1)(i)2., 8-308(e)(1)(i)2., 8-308.3(e)(1)(ii), 8-310.1(e)(1), 8-310.2(e)(2)(ii), 8-311(e)(1)(i)2., 8-312.1(c)(1)(ii), 8-313.2(e)(1)(ii), 8-314(e)(1)(i)2., 8-806(c)(2), 9-101(a)(5)(i), (b), and (c)(1)(i), 9-104, 9-108(f)(3) and (g), 9-207(f), 10-101(a), 10-102, 10-103(b)(17)(i), 10-104(b), 10-201, 10-202(i-1)(2) and (4), 10-204(a)(3), (c)(2), and (d), 10-206(a), 10-301(a)(2)(i) and (f-1)(2), 10-401(a)(1) and (3)(x), 10-402(a), (d), and (e), 10-403(a)(1) and (2)(i), 10-404(a), 10-504(a), (d)(1), and (e)(1), 10-506(a) and (b), 10-507, 12-102(a) and (c)(2), (3), and (4), 12-103(b), (c), (c-1), and (e), 12-104(e)(5)(ii) and (6)(i), 12-107(b)(6)(iv), 12-112(c)(5)(i)2, (8), and (9), 12-113(a), 13-101(a)(1), (e)(1) and (5)(ii), and (g), 14-201, 14-202(a) and (b), 14-203, 14-204(a), 15-109(d)(3), 15-112(c)(3)(ii), 15-206(a), 16-301(a), 16-302, 16-303, 16-401, 16-404, 16-405, 16-407, 16-407.1, 16-410(a)(2), 16-506, and 21-106(b)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 1-102(a)(1) and (5)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article 2B – Alcoholic Beverages

Section 1-102(a)(24)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Business Regulation

Section 2-101 to be under the new subtitle designation “Subtitle 1. General Provisions”; 10-101(a), 16-201(a), and 16.5-101(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Business Regulation

Section 2-201 through 2-204 to be under the new subtitle “Subtitle 2. Division of Business Regulation and Taxation

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Business Regulation

Section 10–101(d)(1), 10–201, 10–202, 10–203, 10–204, 10–205(a), 10–302(b), 10–303(a), (c), (d), and (h), 10–304, 10–304.1(c) and (d), 10–305, 10–306, 10–307, 10–308(a), 10–309(a) and (c), 10–310, 10–311(b)(2) and (d), 10–314, 10–315(d), 10–316, 10–317, 10–318, 10–323.1(b) through (d), 10–323.2(f), 10–401, 10–403, 10–404, 10–405, 10–406(a), 10–408(2), 10–410, 10–503(d), 16–102, 16–201(b), (c), (e) through (h), 16–204(a), (b)(2), (c) through (f), and (h)(1), 16–205(a), 16–206(a)(4) and (f)(6) and (7), 16–208(a)(2), (b), and (c)(1), 16–209(a) and (b)(2), 16–210, 16–211, 16–212, 16–213, 16–216(a), 16–218(c), 16–219(b), 16–220, 16–221(a), 16–222(c), 16–223(c)(1), 16–306, 16–307, 16–3B–01(a), 16–602(a), (c)(2), (g), (i), and (k)(2)(i), 16–602.1(c)(1)(i) and (2), 16–603(a)(1) and (c), 16–604(d)(1), (2), and (5), 16–605(c), 16–607, 16–609(a)(2), 16.5–101(c), (d), (f), (g), and (p), 16.5–102, 16.5–203(a), (b)(3), and (c) through (e), 16.5–204(a), 16.5–205(a)(5) and (d)(5), 16.5–207(a)(2), (b), and (c)(1), 16.5–208, 16.5–209, 16.5–210(a) through (c), and (e)(1), (4), and (5), 16.5–211, 16.5–213(a)(1), 16.5–214(b) and (c), 16.5–215(b), 16.5–216(c), 16.5–217(c)(1)(i), 17–20A–02, 17–20A–03, and 17–20A–04(a) and (b)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 5–523

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 2–101(c)(13)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 18–213(a)(3)(ix) and 18–213.2(a)(8)(ix)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–101(e)(1)(ii)12.

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 8–301  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Tax – General  
Section 1–101(a) and (e), 5–101(a), 9–301(a), 12–101(a), and 13–101(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Tax – General  
Section 1–101(t–1), 2–102.1, 2–103.1, 2–104.1, 2–105.1, and 13–509.1,  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Tax – General  
Section 2–102, 2–105, 2–107, 2–108, 2–301, 2–302, 2–303, 2–1001, 2–1002,  
2–1101, 2–1102, 2–1601, 2–1602, 5–101(m), 5–102(b) and (c), 5–104(b)(2)  
and (c)(2), 5–201, 5–301, 5–303(a), (c), and (d), 9–205(a) and (b), 9–207,  
9–208(a), 9–209, 9–213, 9–214(b), 9–215, 9–219(a)(1), (b), and (c)(1) and  
(2), 9–220(a), (c) and (d), 9–221, 9–301(j), 9–303.1(e)(3), 9–304, 9–308(a),  
(b), (c), and (e)(1), 9–309(a)(2)(iii), (b), and (c), 9–310(a)(1), 9–318, 9–320,  
9–321, 9–322(c)(1)(i) and (f)(1)(i), 9–326(a), 9–327, 9–328, 9–329, 9–330,  
9–331, 9–332, 9–333, 9–335, 9–336, 9–337, 12–101(g), 12–201, 12–202(a),  
12–203(b), 12–302(a) and (d), 12–303, 12–304(b)(1)(ii), 13–101(c), 13–104,  
13–203, 13–205, 13–206, 13–405, 13–406, 13–408, 13–412, 13–508,  
13–509, 13–701(b), 13–707(b) and (c), 13–710, 13–711, 13–825(b), (e), (f),  
(h), and (i), 13–826, 13–834, 13–835, 13–836, 13–837, 13–838, 13–839,  
13–840, 13–841, 13–901(e) and (h), and 13–905(d)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance and the Committee on  
Budget and Taxation.

### **Senate Bill 828 – Senator Madaleno**

AN ACT concerning

### **St. Mary’s College of Maryland – Tuition Freeze and DeSousa–Brent Scholars Completion Grant**

FOR the purpose of prohibiting the Board of Trustees of St. Mary’s College of  
Maryland from increasing the undergraduate resident student tuition rates in

certain academic years; requiring the Governor to appropriate a certain amount to St. Mary's College of Maryland from a certain fund in certain fiscal years; requiring a certain calculation for a certain fiscal year to include certain funds; establishing a DeSousa–Brent Scholars Completion Grant; stating the purpose of a certain grant; prohibiting a certain appropriation from being included in a certain calculation for certain fiscal years except in certain circumstances; requiring a certain report by a certain date; defining certain terms; and generally relating to St. Mary's College of Maryland.

BY adding to

Article – Education

Section 14–410 and 14–411

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 829 – Senators Miller, Garagiola, Currie, Kasemeyer, Madaleno, Manno, McFadden, and Raskin**

#### CONSTITUTIONAL AMENDMENT

AN ACT concerning

#### **Transportation Trust Fund – Financing – Use of Funds**

FOR the purpose of adding a new section to the Maryland Constitution to establish a Transportation Trust Fund to be used only for purposes relating to transportation, except in certain circumstances; prohibiting the reversion or crediting of any part of the Transportation Trust Fund to the General Fund or a special fund of the State; providing that this addition does not prohibit the allocation or use of highway user revenues for counties, municipalities, and Baltimore City as authorized by law; requiring that certain taxes, fees, charges, and revenues be credited to the Transportation Trust Fund; authorizing the transfer of funds from the Transportation Trust Fund if the Governor and the General Assembly take certain actions; submitting this amendment to the qualified voters of the State for their adoption or rejection; and generally relating to the financing and use of funds of the Transportation Trust Fund.

BY proposing an addition to the Maryland Constitution

Article III – Legislative Department

Section 53

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 830 – Senators Miller, Garagiola, Currie, Kasemeyer, Madaleno, Manno, McFadden, and Raskin**

AN ACT concerning

### **Transportation Financing Act**

FOR the purpose of authorizing the Maryland Transit Administration, after a preparing a certain report and holding a certain hearing, to establish up to a certain number of transit benefit districts to finance, construct, and operate transit facilities and transit services; authorizing the Administration to establish the governing body of each transit benefit district; prohibiting the Department of Transportation from exercising jurisdiction or authority over a transit benefit district; authorizing a transit benefit district to take certain actions in performance of its duties; authorizing a transit benefit district to impose certain taxes; providing that certain taxes shall be administered in accordance with certain other taxes; authorizing a transit benefit district to issue bonds payable from certain fees, fares, and taxes for the purpose of financing transit facilities; providing that bonds issued by a transit benefit district do not constitute a debt or pledge of the full faith and credit of certain entities; providing that bonds issued by a transit benefit district do not obligate certain entities to impose any tax; requiring a transit benefit district to determine certain matters concerning certain bonds; providing for the issuance and execution of the bonds; authorizing a transit benefit district to issue bonds to refinance the cost of transit facilities; authorizing a transit benefit district to issue refunding bonds for certain purposes; authorizing a transit benefit district to issue interim certificates or temporary bonds; authorizing a transit benefit district to issue bond anticipation notes; authorizing bonds issued by a transit benefit district to be secured by certain trust agreements; requiring certain fees, fares, and taxes designated by a transit benefit district as security for bonds to be adjusted in a certain manner; requiring that certain revenues of a transit benefit district be deemed to be trust funds to be used only in a certain manner; authorizing the trustee or a holder of bonds issued by a transit benefit district to bring a legal action to enforce certain rights and compel the performance of certain duties; providing that bonds issued by a transit benefit district are securities in which certain persons may invest and that may be deposited with certain persons; exempting bonds issued by a transit benefit district from taxation; authorizing the local governing body of a county to impose a certain motor fuel tax; imposing a certain additional tax on certain motor fuel in certain counties after a certain date; establishing the rate of the tax; requiring the tax to be imposed at a certain time and collected and paid in a certain manner; allowing a distributor to deduct a certain amount of the county motor fuel tax due to reimburse the distributor for certain expenses; providing that certain exemptions, refunds, procedures, and penalties that apply to the motor fuel tax also apply to the county motor fuel tax; providing for the distribution of the county motor fuel tax revenue; requiring the Comptroller to make certain determinations and announcements regarding certain average retail prices of motor fuel and certain sales and use tax equivalent rates for certain periods; providing that under certain circumstances, certain sales and use tax

equivalent rates, effective for certain periods, are added to certain motor fuel tax rates and shall be collected in the same manner as the motor fuel tax; providing that certain State laws and regulations that apply to the motor fuel tax also apply to certain sales and use tax equivalent rates; providing that certain motor fuel is subject to a sales and use tax equivalent rate added to the motor fuel tax rate under certain circumstances; requiring the Maryland Transportation Authority to report and make recommendations on a certain long-term lease; defining certain terms; providing for the effective dates of this Act; and generally relating to transportation financing.

BY adding to

Article – Transportation

Section 9–101 through 9–413 to be under the new title “Title 9. Transit Benefit Districts”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Tax – General

Section 1–101(f–1); 2–11A–01 through 2–11A–03 to be under the new subtitle “Subtitle 11A. County Motor Fuel Tax Distribution”; 9–306; and 9–401 through 9–406 to be under the new subtitle “Subtitle 4. County Motor Fuel Tax”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General

Section 11–221

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

**Senate Bill 831 – Senators Kasemeyer, Currie, DeGrange, King, Klausmeier, Manno, and McFadden**

AN ACT concerning

### **State Budget – Evidence–Based Policy Options**

FOR the purpose of establishing the Committee on State Budget Evidence–Based Policy Options; providing for the composition, chair, and staffing of the Committee; prohibiting a member of the Committee from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Committee annually to determine the policy areas in the State operating budget that should receive an analysis of evidence–based policy



options and requiring the Committee to determine the data to be used in the analysis; requiring the Committee to enter into a certain agreement with the Pew Center on the States; authorizing the Committee to continue certain work with the Pew Center on the States; requiring the Committee to report on or before a certain date each year to the Governor and to certain committees of the General Assembly on the Committee's work on the analysis of State operating budget evidence-based policy options; requesting the Governor to review a certain report during the preparation of a proposed budget; requiring the Secretary of Budget and Management to include consideration of a certain report in certain studies of certain State units; requiring that a certain policy area be the first area of the State operating budget to be analyzed; and generally relating to an analysis of evidence-based policy options in the preparation of the State budget.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 7-102 and 7-103  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Finance and Procurement  
Section 7-107  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Budget and Taxation.

### **Senate Bill 832 – Senator Ferguson**

AN ACT concerning

#### **Child Care Centers – Dispute Resolution**

FOR the purpose of establishing a dispute resolution workgroup; providing for the membership of the workgroup; requiring the State Superintendent of Schools, in consultation with the workgroup, to adopt certain rules and regulations establishing a certain dispute resolution process that includes investigation of certain discrimination complaints, written findings of fact and conclusions of law, and appropriate remedies; authorizing the dispute resolution process to include certain informal resolution processes; and generally relating to dispute resolution procedures for child care centers.

BY repealing and reenacting, with amendments,  
Article – Family Law  
Section 5-573  
Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Judicial Proceedings.

## LETTERS OF REASSIGNMENT

### ANNOUNCEMENT BY THE PRESIDENT

#### Senate Bill 509 – Senator Middleton

AN ACT concerning

#### Cosmetic Surgery – Regulation

Reassigned to the Committee on Finance and the Committee on Education, Health, and Environmental Affairs under Rule 33(d).

Read and ordered journalized.

## QUORUM CALL

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 129)

## ADJOURNMENT

At 8:38 P.M. on motion of Senator Pugh, seconded, the Senate adjourned until 9:30 A.M. on Tuesday, February 5, 2013.

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**Annapolis, Maryland**  
**Tuesday, February 5, 2013**  
**9:30 A.M. Session**

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The Senate met at 9:48 A.M.

Prayer by Reverend Herbert W. Watson, Jr., St. Mark United Methodist Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of February 1, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Ferguson be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 132)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 257 – Senator Joanne C. Benson:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Omega Psi Phi Fraternity, Inc.  
in recognition of  
101 years of serving communities and promoting the principles of manhood,  
scholarship and perseverance.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 5th day of February 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 133)

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #2**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 25 – Senators Forehand and Klausmeier**

AN ACT concerning

**Vehicle Laws – Title and Registration – Transfer to Surviving Spouse**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 72 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Motor Vehicles – Damage to Highways from Oversized Vehicles – Liability and Penalties**

**SB0072/978673/1**

BY: Judicial Proceedings Committee

**AMENDMENTS TO SENATE BILL 72**

(First Reading File Bill)

**AMENDMENT NO. 1**

On page 1, in line 2, after “from” insert “Overweight or”; in line 4, after “of” insert “clarifying that a person who drives or moves certain overweight vehicle loads on a municipal highway is liable for certain damage caused to the highway;”; in line 5, strike “certain” and substitute “State, county, or municipal”; and in line 6, after “load;” insert “establishing a certain exception to liability if an overweight or oversize vehicle is operated in accordance with the terms and conditions of a certain permit;”.

**AMENDMENT NO. 2**

On page 2, in lines 2, 18, and 20, in each instance, strike “highway or county road” and substitute “, COUNTY, OR MUNICIPAL HIGHWAY”; in lines 2 and 3, strike “highway or county road” and substitute “, COUNTY, OR MUNICIPAL HIGHWAY”; in

line 6, strike “even if” and substitute “UNLESS”; in line 7, strike “special”; in the same line, after “title” insert “AND THE VEHICLE IS OPERATED IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE PERMIT”; in line 10, strike “EVEN IF” and substitute “UNLESS”; in the same line, strike “SPECIAL”; in line 11, after “TITLE” insert “AND THE VEHICLE IS OPERATED IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE PERMIT”; in line 14, strike “\$100,000” and substitute “\$50,000”; in the same line, strike “THREE TIMES”; and in line 15, strike “HIGHWAY OR COUNTY ROAD” and substitute “, COUNTY, OR MUNICIPAL HIGHWAY”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 74 – Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Vessels – Operating While Under the Influence of or Impaired by Alcohol or Drugs**

Senator Colburn moved, duly seconded, to make the Bill and Report a Special Order for February 6, 2013.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 75 – Chair, Judicial Proceedings Committee (By Request – Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Administration – Investigative Division – Issuance of Citations**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON FINANCE REPORT #6**

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 79 – Chair, Finance Committee (By Request – Departmental – Health and Mental Hygiene)**

AN ACT concerning

**Department of Health and Mental Hygiene – Advisory Councils – Renaming and Termination**

**SB0079/917374/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 79

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 5 and 12, in each instance, after “Disease” insert “Prevention, Physical Fitness, and Healthy Eating”; in line 6, after “Council,” insert “requiring the membership of the Advisory Council to represent certain diversity of the State;”; in line 7, strike “authorizing” and substitute “requiring”; in line 8, after “subcommittees,” insert “providing for the purpose of the subcommittees; requiring the Advisory Council to maintain liaisons with certain entities and the business community;”; in line 12, after the first semicolon insert “requiring the Department of Health and Mental Hygiene to report to certain committees of the General Assembly on or before a certain date each year;”; after line 14, insert:

“BY repealing and reenacting, with amendments,

Article – Education

Section 7–409(f)(2)(viii)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)”;

and in line 18, after “Disease” insert “Prevention”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“Article – Education7–409.

(f) (2) The Advisory Council shall consist of the following members, selected by each organization from which the member is a representative:

(viii) A representative from the [Governor’s Council on Physical Fitness and Sport] STATE ADVISORY COUNCIL ON CHRONIC DISEASE PREVENTION, PHYSICAL FITNESS, AND HEALTHY EATING;”;

in line 10, after “DISEASE” insert “PREVENTION”; in lines 13 and 16, in each instance, after “DISEASE” insert “PREVENTION, PHYSICAL FITNESS, AND HEALTHY EATING”; and in lines 18 and 20, in each instance, strike “24” and substitute “31”.

On page 3, in line 24, strike “AND”; and in line 26, after “MARYLAND;” insert “AND”

**11. THE MARYLAND–NATIONAL CAPITAL HOMECARE ASSOCIATION;”.**

AMENDMENT NO. 3

On page 3, in line 27, strike “FOURTEEN” and substitute “20”.

On page 4, in line 1, strike “TWO” and substitute “2”; in line 3, strike “TWO HEALTHCARE PROVIDERS” and substitute “10 INDIVIDUALS REPRESENTING PHYSICIANS OR OTHER HEALTHCARE PROVIDER GROUPS, INCLUDING FAMILY PRACTICE, INTERNAL MEDICINE, PEDIATRICS, EMERGENCY MEDICINE, CARDIOLOGY, NEUROLOGY, PULMONOLOGY, ENDOCRINOLOGY, RHEUMATOLOGY, NURSING, PHARMACY, AND DIETETICS”; in line 4, strike “TWO” and substitute “4”; in lines 6, 8, and 9, in each instance, strike “ONE” and substitute “1”; in line 8, strike “AND”; in line 10, after “BACKGROUND” insert “; AND”

**7. 1 HOSPITAL REPRESENTATIVE;”;**

and after line 13, insert:

**“(5) THE MEMBERSHIP OF THE ADVISORY COUNCIL SHALL REPRESENT THE GENDER, GEOGRAPHIC, RACIAL, AND CULTURAL DIVERSITY OF THE STATE.”**

**AMENDMENT NO. 4**

On page 5, in line 3, strike “MAY” and substitute “**SHALL**”; strike beginning with “AS” in line 3 down through the “**WORK.**” in line 4 and substitute “**TO ADDRESS THE FOLLOWING TOPIC AREAS:**”

**(1) PHYSICAL FITNESS AND HEALTHY EATING;**

**(2) HEART DISEASE;**

**(3) STROKE;**

**(4) DIABETES;**

**(5) CHRONIC OBSTRUCTIVE PULMONARY DISEASE;**

**(6) ARTHRITIS; AND**

**(7) ANY OTHER TOPICS IT DETERMINES NECESSARY TO ORGANIZE ITS WORK.”;**

in line 12, strike the bracket and substitute “**SHALL**”; in line 13, strike “Shall develop and] **SHALL** promote” and substitute “**PROMOTE**”; in line 17, strike the bracket; strike line 18 in its entirety and substitute:

**“(2) MAINTAIN LIAISON WITH:**

**(I) THE STATE DEPARTMENT OF EDUCATION;**

**(II) COUNTY BOARDS OF EDUCATION;**

**(III) PRIVATE AND PAROCHIAL SCHOOLS;**



**(IV) THE BUSINESS COMMUNITY;**

**(V) COUNTY COMMISSIONS; AND**

**(VI) PHYSICAL FITNESS AGENCIES IN OTHER STATES AND IN THE FEDERAL GOVERNMENT.”;**

in line 23, after “DISEASE” insert “PREVENTION, PHYSICAL FITNESS, AND HEALTHY EATING”; and in line 25, after “prevention” insert “, INCLUDING PHYSICAL FITNESS AND THE IMPORTANCE OF HEALTHY EATING”.

**AMENDMENT NO. 5**

On page 6, after line 12, insert:

**“(C) ON OR BEFORE JANUARY 15 OF EACH YEAR, THE DEPARTMENT SHALL REPORT, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, ON THE NUMBER OF TIMES DURING THE PREVIOUS CALENDAR YEAR THAT THE ADVISORY COUNCIL MET, AND WHETHER A QUORUM WAS PRESENT AT EACH MEETING.”;**

in line 27, after “Disease” insert “Prevention, Physical Fitness, and Healthy Eating”; in line 28, strike “12” and substitute “16”; in the same line, strike “2014” and substitute “2015”; in line 29, strike “12” and substitute “15”; and in the same line, strike “2015” and substitute “2016”.

The preceding 5 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 117 – Senator Benson**

AN ACT concerning

**Crimes – Sale of Drug Paraphernalia to a Minor – Local Law Authorizing Business License Revocation for a Second or Subsequent Violation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 195 – Senators Kelley, Astle, Benson, Forehand, Glassman, Jacobs, Jones–Rodwell, Kittleman, Mathias, Middleton, Pugh, and Rosapepe**

AN ACT concerning

**Hospitals – Notice to Patients – Outpatient Status and Billing Implications**

**SB0195/927673/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 195

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Hygiene” insert “, in consultation with certain hospitals,”; and in lines 7 and 8, strike “standard language for” and substitute “standardized elements to be included in”.

AMENDMENT NO. 2

On page 2, in line 2, strike “18” and substitute “**23**”; in line 8, after “DEPARTMENT” insert “, IN CONSULTATION WITH HOSPITALS IN THE STATE,”; and strike beginning with “STANDARD” in line 8 down through “FOR” in line 9 and substitute “STANDARDIZED ELEMENTS TO BE INCLUDED IN”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 8 – Senators Astle and Middleton**

AN ACT concerning

**Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge**

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

**SB0008/293726/1**

BY: Senator Madaleno

AMENDMENT TO SENATE BILL 8

(First Reading File Bill)

On page 4, in line 2, strike “AND”; and in line 4, before the period, insert “; AND”

**4. ALL COST SAVINGS ATTRIBUTABLE TO THE PROJECT, INCLUDING REDUCED COSTS FOR OPERATIONS AND MAINTENANCE, FINANCING, AND RISK”.**

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 15    Negative – 29    (See Roll Call No. 134)

FLOOR AMENDMENT

**SB0008/163725/1**

BY: Senator Rosapepe

AMENDMENTS TO SENATE BILL 8

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 13, strike “authorizing” and substitute “requiring”.

AMENDMENT NO. 2

On page 5, in line 7, after “COMMISSION” insert “SHALL”; in line 8, strike “MAY”; and in line 9, strike “SHALL”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 19    Negative – 21    (See Roll Call No. 135)

Read the second time and ordered prepared for Third Reading.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 136)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #8**

**Senate Bill 283 – The President (By Request – Department of Legislative Services)**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Annual Curative Bill**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 137)

The Bill was then sent to the House of Delegates.

**Senate Bill 284 – The President (By Request – Department of Legislative Services)**

#### **EMERGENCY BILL**

AN ACT concerning

#### **Annual Corrective Bill**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 138)

The Bill was then sent to the House of Delegates.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 139)

### **ADJOURNMENT**

At 11:06 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 6, 2013.

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**Annapolis, Maryland**  
**Wednesday, February 6, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:12 A.M.

Prayer by Reverend Pat Packett, Sr., Chesapeake Christian Fellowship, guest of Senator Reilly.

(See Exhibit A of Appendix III)

The Journal of February 5, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senator McFadden be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 141)

**INTRODUCTION OF BILLS**

**Senate Bill 833 – Senator Brinkley**

AN ACT concerning

**Frederick County – Exemption from State Procurement Laws Concerning  
Minority Business Enterprises and Prevailing Wage Rates**

FOR the purpose of exempting Frederick County, as to a certain contract, from the provisions of the State procurement law concerning minority business enterprises; exempting Frederick County, under certain circumstances, from the provisions of the State procurement law concerning prevailing wage rates; providing for the termination of this Act; and generally relating to the application of the State procurement laws concerning minority business enterprises and prevailing wage rates to Frederick County.

BY renumbering

Article – State Finance and Procurement

Section 14–301.1

to be Section 14–301.2

Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement  
Section 14–301.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 14–302(a)(1)(i) and 17–202  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 17–201(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 834 – Senators Gladden, Conway, Forehand, Kittleman, and Pugh**

AN ACT concerning

**Health Care Malpractice Claims – Definition of “Health Care Provider”**

FOR the purpose of altering the definition of “health care provider” for purposes of health care malpractice claims; providing for the application of this Act; and generally relating to health care malpractice claims.

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings  
Section 3–2A–01(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 835 – Senator Gladden**

AN ACT concerning

**Patient Safety Early Intervention Programs**

FOR the purpose of authorizing hospitals, related institutions, and certain insurers to establish patient safety early intervention programs; requiring patient safety early intervention programs to provide for timely review of certain reports of adverse events for a certain purpose; requiring patient safety early intervention programs to have a process to engage in certain activities within a reasonable time after the occurrence of certain adverse events under certain circumstances; prohibiting the use of certain statements made during certain discussions held in accordance with certain patient safety early intervention programs as evidence of liability or as evidence of an admission against interest in certain actions and proceedings; defining certain terms; and generally relating to patient safety early intervention programs and the admissibility of evidence.

BY adding to

Article – Courts and Judicial Proceedings  
Section 10–920.1  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY adding to

Article – Health – General  
Section 19–304.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 836 – Senator Gladden**

AN ACT concerning

#### **Health Care Malpractice – Awards and Judgments – Periodic Payments**

FOR the purpose of requiring periodic payments of certain damages in excess of a certain amount for certain health care malpractice causes of action; establishing procedures and requirements relating to periodic payments and annuities for funding periodic payments; providing for the application of this Act; and generally relating to periodic payments for future damages in medical malpractice actions.

BY renumbering

Article – Courts and Judicial Proceedings  
Section 3–2A–10  
to be Section 3–2A–11  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY adding to



Article – Courts and Judicial Proceedings  
Section 3–2A–10  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 837 – Senator Young**

AN ACT concerning

**Health Occupations Boards – Disciplinary Procedures – Prohibition on Stays**

FOR the purpose of prohibiting a hearing of charges filed by certain health occupations boards from being stayed or challenged by certain procedural defects; prohibiting an order of certain health occupations boards from being stayed pending judicial review; altering the circumstances under which an order of certain health occupations boards may not be stayed; repealing obsolete provisions of law regarding the stay of orders of certain health occupations boards; making a conforming change; and generally relating to the disciplinary procedures of health occupations boards.

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 1A–310, 1A–311, 2–315, 2–316, 3–315, 3–316, 4–318, 4–319, 5–312, 5–313, 7–319, 7–320, 9–315, 10–316, 10–317, 11–315, 11–317, 11–318, 13–317, 13–318, 16–313, 16–315, 17–511, 19–312, 19–313, 20–314, and 20–315

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 838 – Senators Young, Montgomery, Rosapepe, and Shank**

AN ACT concerning

**Educational Institutions – Personal Electronic Account – Privacy Protection**

FOR the purpose of prohibiting an educational institution from requiring, requesting, suggesting, or causing a student, an applicant, or a prospective student to grant access to, allow observation of, or disclose information that allows access to or observation of the individual's personal electronic account; prohibiting an educational institution from compelling a student, an applicant, or a prospective student, as a condition of acceptance or participation in curricular or extracurricular activities, to add certain individuals to a certain list of contacts or to change certain privacy settings; prohibiting an educational institution

from taking or threatening to take certain actions against a student, or failing or refusing to admit an applicant, as a result of the student's or applicant's refusal to grant access to, allow observation of, or disclose certain information relating to a personal electronic account, add certain individuals to a certain list of contacts, or change certain privacy settings; providing that this Act may not be construed to prohibit an educational institution from requesting or requiring a student to disclose access information to certain electronic accounts, to prohibit or restrict an educational institution from viewing, accessing, or utilizing certain information that is available in the public domain, to create a duty to search or monitor the activity of a personal electronic account, to make an educational institution liable for failing to request or require a student, applicant, or prospective student to grant access to, allow observation of, or disclose certain information relating to a personal electronic account, to prohibit a student, an applicant, or a prospective student from allowing a certain individual to view certain communications, or to apply to a certain investigation conducted by a certain department of or in accordance with a certain policy or protocol of an institution of postsecondary education; establishing that a person who violates this Act is guilty of a misdemeanor and is subject to a certain fine; authorizing an individual who is the subject of a violation of this Act to take certain legal action; establishing that an educational institution's action in compliance with federal or State law is an affirmative defense to a claim under this Act; defining certain terms; and generally relating to the personal electronic accounts of students, applicants, and prospective students of educational institutions.

BY adding to

Article – Education

Section 26–401 to be under the new subtitle “Subtitle 4. Personal Electronic Account Privacy Protection”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 839 – Senators Klausmeier, Benson, Ferguson, Garagiola, Glassman, Kittleman, Madaleno, Manno, Middleton, Ramirez, Rosapepe, and Simonaire**

AN ACT concerning

**General Assembly and Department of Legislative Services – Reduction in Paper Use**

FOR the purpose of requiring the Legislative Policy Committee to study how the amount of paper used by the General Assembly and the Department of Legislative Services can be reduced by a certain percentage by a certain year by changing certain rules, procedures, and provisions of law; requiring the

Committee to prepare certain bills and rule changes prepared for introduction or consideration by the General Assembly in a certain Session; and generally relating to the reduction in the amount of paper used by the General Assembly and the Department of Legislative Services.

Read the first time and referred to the Committee on Rules.

**Senate Bill 840 – Senator Stone**

AN ACT concerning

**Voting – Notice of Election by Specimen Ballot**

FOR the purpose of altering the date by which a local board of elections must provide voters notice of an election by specimen ballot; and generally relating to notice of elections to voters by specimen ballot.

BY repealing and reenacting, with amendments,  
Article – Election Law  
Section 7–105 and 8–102  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Election Law  
Section 9–214  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 841 – The President (By Request – Administration) and Senators Benson, Conway, Currie, Garagiola, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, Pugh, Ramirez, and Stone**

AN ACT concerning

**Higher Education Fair Share Act**

FOR the purpose of altering the matters of negotiation that may be included in collective bargaining between an employee organization and certain system institutions, Morgan State University, St. Mary's College of Maryland, or Baltimore City Community College; and generally relating to collective bargaining for employees of certain State institutions of higher education.

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions  
Section 3–502  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 842 – Senator Kittleman**

AN ACT concerning

**State Highway and Road Construction – Forward-Funded Projects –  
Reimbursement of Political Subdivisions**

FOR the purpose of requiring the State to reimburse political subdivisions for certain forward-funded expenditures made by political subdivisions to cover the State's share of costs on State highway or road construction projects; and generally relating to State highway and road construction projects and reimbursement of political subdivisions.

BY adding to  
Article – Transportation  
Section 8–617  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 843 – Senator Pugh**

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program – Health  
Improvement and Cost Savings Act of 2013**

FOR the purpose of requiring the Secretary of Budget and Management, in consultation with the Department of Health and Mental Hygiene, to establish a wellness pilot project in the State Employee and Retiree Health and Welfare Benefits Program; requiring the wellness pilot project to achieve certain savings through participation in certain programs by State employees and their dependents; establishing the dates on which the wellness pilot project begins and ends; requiring participation in the wellness pilot project to be voluntary for Program enrollees; requiring the Program to provide monetary incentives, not to exceed a certain amount, for participation in certain programs; requiring the Secretary, in consultation with the Department, to establish certain participation requirements and a process for providing a monetary incentive; requiring the Secretary, in consultation with the Department, to adopt

regulations to establish certain evidence-based criteria; requiring the Secretary, on or before a certain date, to report to the General Assembly on the implementation of this Act; requiring certain expenses to be paid for in a certain manner; providing for the termination of this Act; defining certain terms; and generally relating to a wellness pilot project in the State Employee and Retiree Health and Welfare Benefits Program.

BY repealing and reenacting, without amendments,  
Article – State Personnel and Pensions  
Section 2–501(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 2–503.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 844 – Senator Getty**

AN ACT concerning

#### **Public Information Act – Electronic Mail Addresses – Web Site Notice**

FOR the purpose of requiring certain governmental units to post on the Web sites of the units a certain statement notifying the public that electronic mail addresses are public records; defining a certain term; and generally relating to electronic mail addresses as public records.

BY adding to  
Article – State Government  
Section 10–619.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 845 – Senator Getty**

AN ACT concerning

#### **Public Information Act – Required Denials – Electronic Mail Addresses**

FOR the purpose of requiring, except under certain circumstances, a custodian of a public record to deny inspection of the part of a public record that contains a certain electronic mail address; and generally relating to the inspection of public records under the Public Information Act.

BY adding to

Article – State Government  
Section 10–617(n)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

## MESSAGE FROM THE HOUSE OF DELEGATES

### FIRST READING OF HOUSE BILLS

#### House Bill 75 – Delegate Feldman

AN ACT concerning

#### Utility Service Protection Program – Annual Report – Deadline

FOR the purpose of altering the date by which the Public Service Commission must report each year to the General Assembly on terminations of gas or electric service occurring during the previous heating season; and generally relating to the Utility Service Protection Program.

BY repealing and reenacting, without amendments,

Article – Public Utilities  
Section 7–307(a)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities  
Section 7–307(c)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

## LETTERS OF REASSIGNMENT

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 678 – Senator Pugh**

AN ACT concerning

**Juvenile Services – Community–Based Diversion Pilot Program**

Reassigned to the Committee on Judicial Proceedings under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 725 – Senator Simonaire**

AN ACT concerning

**Business Regulation – Junk Dealers and Scrap Metal Processors – Holding  
Period for Junk and Scrap Metal**

Reassigned to the Committee on Finance under Rule 33(d).

Read and ordered journalized.

**ANNOUNCEMENT BY THE PRESIDENT**

**Senate Bill 818 – Senator Frosh**

AN ACT concerning

**Community Juvenile Services Program**

Reassigned to the Committee on Judicial Proceedings under Rule 33(d).

Read and ordered journalized.

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #3**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 86 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Human Resources)**

AN ACT concerning

**Voluntary Placement for Former Children in Need of Assistance**

**SB0086/458375/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 86  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Resources)” insert “and Senators Frosh, Brochin, Forehand, Gladden, Jacobs, Muse, Raskin, Stone, and Zirkin”.

AMENDMENT NO. 2

On page 2 in line 34, on page 3 in line 20, on page 5 in line 8, and on page 6 in line 25, in each instance, strike “**TERMINATED**” and substitute “**RESCINDED**”.

AMENDMENT NO. 3

On page 3, in line 18, strike “**OR**”; and in line 20, before the period, insert “**; OR**

**(III) THE FORMER CINA RECEIVES VOLUNTARY PLACEMENT SERVICES**”.

AMENDMENT NO. 4

On page 4, in line 23, after “**CONTINUE**” insert “**AND MAKE ANY NECESSARY ORDERS TO ADDRESS THE NEEDS OF THE FORMER CINA,**”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 170 – Senator Forehand**



AN ACT concerning

**Estates and Trusts – Modified Administration and Inheritance Tax**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 236 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Rhonda Holmes–Blankenship  
Rising Sun High School  
in recognition of  
being selected as the 2013 Maryland Teacher of the Year. We applaud your  
outstanding contributions to Maryland students and for spending this year as an  
education voice in policy and instruction in our State. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 229 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Lee Ann Zlomek  
Mountain Ridge High School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Allegany County. We applaud  
your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 230 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to

Martha Gardner  
Belvedere Elementary School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for  
Anne Arundel County. We applaud your outstanding contributions to enhancing the  
education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 231 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Brad Nornhold  
KIPP Ujima Village Academy  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Baltimore City. We applaud  
your outstanding  
contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 232 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Angela Rountree  
Ridgely Middle School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Baltimore County. We  
applaud your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 233 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to

Dawn Caine  
Windy Hill Middle School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Calvert County. We applaud  
your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 234 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Emily Edwards  
Preston Elementary School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Caroline County. We applaud  
your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 235 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Patricia DiLeonardi  
Liberty High School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Carroll County. We applaud  
your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 237 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Kerrie Seberg  
William A. Diggs Elementary School

in recognition of  
being selected as the 2012–2013 Teacher of the Year for Charles County. We applaud  
your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 238 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Heidi Cohoon  
Cambridge–South Dorchester High School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Dorchester County. We  
applaud your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 239 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Norm Crosby  
Urbana High School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Frederick County. We  
applaud your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 240 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Erin White  
Southern Garrett High School  
in recognition of

being selected as the 2012–2013 Teacher of the Year for Garrett County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 6th day of February 2013.

**Senate Resolution No. 241 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Christina Diane O’Neill  
Bel Air Middle School  
in recognition of

being selected as the 2012–2013 Teacher of the Year for Harford County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 6th day of February 2013.

**Senate Resolution No. 242 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Lisa Young  
Atholton Elementary School  
in recognition of

being selected as the 2012–2013 Teacher of the Year for Howard County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 6th day of February 2013.

**Senate Resolution No. 243 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Ida Nabb  
Kent County High School  
in recognition of

being selected as the 2012–2013 Teacher of the Year for Kent County. We applaud your outstanding contributions to enhancing the education of Maryland students.

Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 6th day of February 2013.

**Senate Resolution No. 244 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Christine E. Ground  
Northwest High School  
in recognition of

being selected as the 2012–2013 Teacher of the Year for Montgomery County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 6th day of February 2013.

**Senate Resolution No. 245 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Sharelle Stagg  
Valley View Elementary School  
in recognition of

being selected as the 2012–2013 Teacher of the Year for Prince George’s County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 6th day of February 2013.

**Senate Resolution No. 246 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Amanda Ensor  
Church Hill Elementary School  
in recognition of

being selected as the 2012–2013 Teacher of the Year for Queen Anne’s County. We applaud your outstanding contributions to enhancing the education of

Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 247 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Bernadette Sheetz  
Esperanza Middle School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for  
St. Mary’s County. We applaud your outstanding contributions to enhancing the  
education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 248 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Kelly Butler  
Crisfield High School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Somerset County. We applaud  
your outstanding contributions to enhancing the education of  
Maryland students. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 6th day of February 2013.

**Senate Resolution No. 249 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Katie C. White  
Easton Elementary School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Talbot County. We applaud  
your outstanding contributions to enhancing the education of Maryland students.  
Congratulations!

The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 6th day of February 2013.

**Senate Resolution No. 250 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Christina Hammer–Atkins  
Boonsboro Elementary School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Washington County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!  
The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 6th day of February 2013.

**Senate Resolution No. 251 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Susan “Susie” Jones  
Fruitland Primary School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Wicomico County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!  
The entire membership extends best wishes on this memorable occasion and directs this resolution be presented on this 6th day of February 2013.

**Senate Resolution No. 252 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Tony Bevilacqua  
Worcester Technical High School  
in recognition of  
being selected as the 2012–2013 Teacher of the Year for Worcester County. We applaud your outstanding contributions to enhancing the education of Maryland students. Congratulations!  
The entire membership extends best wishes on this memorable occasion and directs this resolution



be presented on this 6th day of February 2013.

The proceeding 24 Resolutions were read and adopted by a roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 142)

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #3**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 196 – Senator Frosh**

AN ACT concerning

**Register of Wills – Salary**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 198 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Family Allowance**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

Senate Rule 116. Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

- (1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and

- (2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

Senate Rule 116 was read only.

Senator Kittleman moved, duly seconded, to make the **Senate Rule 116** a Special Order for February 13, 2013.

The motion was adopted.

**Senate Bill 74 – Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Vessels – Operating While Under the Influence of or Impaired by Alcohol or Drugs**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading by a roll call vote as follows:

Affirmative – 35    Negative – 10    (See Roll Call No. 143)

### QUORUM CALL

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 144)

### ADJOURNMENT

At 11:03 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Thursday, February 7, 2013.

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**Annapolis, Maryland**  
**Thursday, February 7, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:15 A.M.

Prayer by Reverend James H. Farmer, Severna Park United Methodist Church, guest of Senator Reilly.

(See Exhibit A of Appendix III)

The Journal of February 6, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senator Shank be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 146)

**INTRODUCTION OF BILLS**

**Senate Bill 846 – Senator Conway**

AN ACT concerning

**Courts – Baltimore City Sheriff and Fees for Filing and Service of Process**

FOR the purpose of altering the type of positions and the number of certain positions to which the Baltimore City Sheriff may appoint employees; increasing a certain annual expense allowance for certain deputy sheriffs; altering certain surcharges on filing fees in the District Court in Baltimore City; requiring certain revenue to be remitted quarterly to the Baltimore City Director of Finance and used to fund the enhancement of sheriff benefits and the increase in sheriff personnel for a certain purpose; authorizing the Sheriff to collect certain surcharges on fees for certain types of service; requiring certain revenue to be used to fund the enhancement of sheriff benefits and the increase in sheriff personnel for a certain purpose; and generally relating to the Baltimore City Sheriff and certain filing and service of process fees in Baltimore City.

BY repealing and reenacting, without amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(a) and (a–1) and 7–402(b) and (e)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Courts and Judicial Proceedings  
Section 2–309(d)(1), 7–301(c), and 7–402(a)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Courts and Judicial Proceedings  
Section 7–402(f)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 847 – Senator Stone**

AN ACT concerning

#### **Criminal Law – Motor Vehicles – Criminal Negligence Resulting in Death**

FOR the purpose of repealing a requirement that, to be convicted of a certain offense of manslaughter, a person’s failure to perceive a certain risk must constitute a gross deviation from a certain standard of care; altering the name of a violation of this Act to be criminal negligence resulting in death; repealing a certain statement of intent of the General Assembly relating to a certain term; and generally relating to motor vehicles and criminal negligence resulting in death.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 2–210  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

BY repealing  
Chapter 334 of the Acts of the General Assembly of 2011  
Section 2

Read the first time and referred to the Committee on Rules.

### **Senate Bill 848 – Carroll County Senators**

AN ACT concerning

**Carroll County – Alcoholic Beverages – License Fees**

FOR the purpose of increasing the fees for certain beer, beer and light wine, and beer, wine and liquor licenses in Carroll County in a certain manner; and generally relating to alcoholic beverages licenses in Carroll County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 3–101(a)(1), 3–401(a)(1), 5–101(a)(1), 5–401(a)(1), and 6–101(a)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 3–101(h), 3–401(h), 5–101(h), 5–401(h), and 6–101(h)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 849 – Senators Ramirez, Colburn, Currie, King, Madaleno, Manno,  
and Middleton**

AN ACT concerning

**Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility  
Bills**

FOR the purpose of authorizing a certain tenant to prevent the termination of certain utility service by opening a new utility service account; authorizing a certain tenant to have certain utility service restored by opening a new utility service account under certain circumstances; specifying that a certain tenant may not incur liability for certain charges by taking certain action; requiring a certain utility service provider to establish a new utility service account for a certain tenant; prohibiting a certain utility service provider from refusing or limiting certain rights, under certain circumstances; authorizing a certain tenant to deduct certain payments from rent due to a landlord, under certain circumstances; specifying that a tenant's failure to make certain payments authorizes a utility service provider to terminate service under certain circumstances; requiring a certain utility service provider to provide certain notice to a certain tenant within a certain period of time before terminating service; requiring a certain utility service provider to send a certain notice to a certain tenant in addition to notices sent to a landlord; authorizing a certain utility service provider to include certain information relating to a landlord's past due account in a notice to a certain tenant; authorizing a certain utility

service provider to charge a landlord a certain fee for the cost of sending certain notices; requiring a certain utility service provider to include certain information on a certain notice; prohibiting the waiver of certain rights; requiring a certain complaint for failure to pay rent to include payments made by a certain tenant on a utility bill under certain circumstances; requiring a request for a certain judgment to be reduced by payments made by a certain tenant; requiring the determination of a certain judgment to include certain payments made by a certain tenant; defining certain terms; and generally relating to payment of a utility bill by a tenant.

BY adding to

Article – Public Utilities  
Section 7–309  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 8–401(b)(1)(iii) and (iv) and (c)(2)(ii) and (iii)2.D.  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Real Property  
Section 8–401(c)(2)(iii)1.  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 850 – Senators Forehand and Raskin**

AN ACT concerning

#### **Vehicle Laws – Accidents Resulting in Injury – Mandatory Drug and Alcohol Testing**

FOR the purpose of altering the circumstances under which a person who is involved in a motor vehicle accident is required to submit to certain drug or alcohol testing when the person is detained by a police officer who has reasonable grounds to believe that the person has been driving or attempting to drive in violation of certain drug– or alcohol–related driving restrictions; requiring a person involved in a motor vehicle accident that results in an injury to another person that requires the removal of the other person to a medical facility to submit to certain drug or alcohol testing under certain circumstances; and generally relating to accidents resulting in injury and mandatory drug and alcohol testing.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 16–205.1(c)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 851 – Senator Ramirez**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – Len Bias Statue at  
Northwestern High School**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$50,000, the proceeds to be used as a grant to the Board of Directors of the Prince George’s African American Museum and Cultural Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 852 – Senators Ramirez and Kelley**

AN ACT concerning

**Consumer Protection – Sales of Goods and Services – Receipt Requirements**

FOR the purpose of requiring merchants to provide to a consumer, at a certain time, a written receipt for a sale of consumer goods or services under certain circumstances; authorizing merchants to provide an electronic receipt to a consumer in lieu of a written receipt for a sale of consumer goods or services under certain circumstances; prohibiting merchants from charging consumers for the receipt; and generally relating to receipts for the sale of consumer goods and services.

BY adding to

Article – Commercial Law  
Section 13–320  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 853 – Senator Ramirez**

AN ACT concerning

**Utility Companies – Removal of Lines from Utility Poles**

FOR the purpose of requiring certain electric companies and telephone companies to coordinate with certain companies the timing of the removal of certain lines so that certain lines are removed within a certain period of time; authorizing the Public Service Commission to adopt certain regulations or issue certain orders; and generally relating to the removal of lines from poles owned by utility companies.

BY adding to

Article – Public Utilities  
Section 7–215 and 8–109  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 854 – Senator Edwards**

AN ACT concerning

**Environment – Gas and Oil Drilling – Financial Assurance**

FOR the purpose of requiring a certain permit application to include a certain closure cost estimate; repealing certain bonding requirements for certain permits; requiring a holder of a permit to drill for gas or oil to comply with certain requirements under certain circumstances; requiring a certain permit holder to provide certain financial assurance in accordance with certain requirements; clarifying a certain requirement for a certain permit holder to obtain and keep in effect certain comprehensive general liability insurance coverage in accordance with certain requirements; requiring a holder of a certain permit to obtain and keep certain environmental pollution liability insurance in accordance with certain requirements; requiring certain environmental pollution liability insurance to be maintained for a certain number of years under certain circumstances; requiring a certain permit holder's financial assurance to extend to certain owners and to cover certain acts and omissions; enabling certain permit applicants to offer, and the Department to authorize, certain alternative means for demonstrating financial assurance; providing that a certain permit or the transfer of a certain permit may not become effective until the financial assurance requirements of this Act have been satisfied; providing that the proceeds from certain financial assurance shall be deposited



in the Oil and Gas Fund; and generally relating to financial assurance for gas and oil drilling.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 14–105(a), 14–108, 14–111, and 14–122  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 855 – Senator Getty**

AN ACT concerning

**Public Schools – Collection of Biometric Information from Students –  
Prohibited**

FOR the purpose of prohibiting a county board or a person subject to the direction and control of the county board from collecting biometric information from students enrolled in a public school; defining a certain term; and generally relating to the collection of biometric information from students enrolled in public schools.

BY adding to  
Article – Education  
Section 7–435  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 856 – Senator Montgomery**

AN ACT concerning

**Education – Public School Holidays – Easter Monday**

FOR the purpose of repealing the requirement that the Monday after Easter be a public school holiday; providing that, at the option of a county board, the Monday after Easter may be a public school holiday; and generally relating to public school holidays.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 7–103(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 857 – Senators Miller, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones–Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin**

AN ACT concerning

**Commission on the Establishment of a Maryland Educators Service Memorial**

FOR the purpose of establishing the Commission on the Establishment of a Maryland Educators Service Memorial; providing for the composition, chair, and staffing of the Commission; requiring that the members of the Commission be appointed on or before a certain date; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; specifying the duties of the Commission; requiring the Commission to report its initial findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Commission on the Establishment of a Maryland Educators Service Memorial.

Read the first time and referred to the Committee on Rules.

**Senate Bill 858 – Senator Simonaire**

AN ACT concerning

**State Racing Commission – Ejections from Race Tracks – Appeals**

FOR the purpose of authorizing certain license holders to appeal an ejection by certain licensees to the State Racing Commission; authorizing the Commission to refuse to hear certain appeals under certain circumstances; providing for the filing of certain appeals with the Commission; requiring certain licensees to provide certain written statements by a certain time; providing for the content of certain appeals; requiring the Commission to conduct certain hearings in accordance with certain administrative procedures; authorizing the Commission to take certain actions; requiring certain licensees to abide by certain decisions; requiring the Commission to adopt certain regulations; defining a certain term; and generally relating to appeals made to the State Racing Commission.

BY adding to

Article – Business Regulation  
Section 11–211.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 859 – Senator Pugh (Commission on Maryland Cybersecurity  
Innovation and Excellence)**

AN ACT concerning

**Maryland Personal Information Protection Act – Revisions**

FOR the purpose of requiring a certain business, when destroying a customer's records that contain certain personal or private information of the customer, to take certain steps to protect against unauthorized access to or use of the information; requiring a certain business to implement and maintain certain procedures and practices to protect against the unauthorized access, use, modification, or disclosure of the personal or certain private information under certain circumstances; requiring a certain business that owns or licenses computerized data that includes certain personal or private information of an individual residing in the State to implement and maintain certain security procedures and practices under certain circumstances; altering the circumstances under which a certain business that owns, licenses, or maintains computerized data that includes certain private information of an individual residing in the State must conduct a certain investigation and notify certain persons of a breach of the security of a system; specifying the time at which certain notice must be given; altering the contents of the notice; defining certain terms; altering certain definitions; making certain conforming changes; providing for the application of a certain provision of this Act; and generally relating to the protection of personal or private information contained in the records of businesses, owned or licensed by businesses, or included in computerized data owned, licensed, or maintained by businesses.

BY repealing and reenacting, with amendments,  
Article – Commercial Law  
Section 14–3501 through 14–3504, 14–3506, and 14–3507  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Commercial Law  
Section 14–3505 and 14–3508  
Annotated Code of Maryland  
(2005 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 860 – Senator Zirkin**

AN ACT concerning

**State Birds – Oriole and Raven**

FOR the purpose of making the raven the second State bird of Maryland.

BY repealing and reenacting, with amendments,

Article – State Government

Section 13–302

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 861 – Senator Zirkin**

AN ACT concerning

**Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties**

FOR the purpose of prohibiting a person from committing a certain crime of violence when the person knows or reasonably should know that a minor of a certain age is present in a residence; establishing certain circumstances under which a minor is present; establishing a certain enhanced penalty for a violation of this Act; authorizing a court to impose an enhanced penalty if the State’s Attorney provides certain notice to the defendant in a certain manner and if certain elements have been proven beyond a reasonable doubt; authorizing the State to include a certain notice in a certain indictment or information; providing that a person who violates this Act is guilty of the abuse of a child under 18 for certain purposes; and generally relating to the commission of crimes of violence in the presence of minors.

BY repealing and reenacting, without amendments,

Article – Courts and Judicial Proceedings

Section 9–106(a)

Annotated Code of Maryland

(2006 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Law

Section 3–601.1

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 5–101(a) and (c)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 862 – Senator Zirkin**

AN ACT concerning

**Real Property – Easements – Natural Gas Pipelines**

FOR the purpose of requiring that an easement negotiated for the construction, operation, or maintenance of a natural gas pipeline be for a single pipeline and be limited in scope to the construction, operation, or maintenance of the pipeline; prohibiting a certain easement from authorizing the easement holder to use the easement, at a date in the future, for anything other than the construction, operation, or maintenance of the pipeline; stating that an easement that does not meet the requirements of this Act is invalid; defining a certain term; and generally relating to natural gas pipelines.

BY adding to  
Article – Real Property  
Section 10–711  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 863 – Senator Zirkin**

AN ACT concerning

**Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws**

FOR the purpose of requiring the Public Service Commission to act under a certain certification or agreement with the U.S. Secretary of Transportation as an interstate authority agent for the purpose of implementing certain federal pipeline safety laws; requiring the Commission to take certain actions necessary to carry out its responsibilities under a certain certification or agreement with the U.S. Secretary of Transportation; authorizing the Commission to accept grants-in-aid, cash, and reimbursements to implement certain federal pipeline

safety laws; requiring the Commission to regulate certain gas pipelines; requiring the Commission to adopt certain federal regulations as minimum standards for gas pipelines in the State; requiring a gas transmission company to comply with certain planning, notification, and reporting provisions; requiring a gas transmission company and the Commission to notify the National Response Center of certain errors or new information relating to a gas pipeline; authorizing the Commission to enter, inspect, and examine certain records and property of a gas transmission company for a certain purpose and under certain circumstances; requiring the Commission to inspect a gas pipeline with a certain frequency; authorizing the Commission to assess and collect a certain inspection fee from a gas transmission company; authorizing the Commission to seek a certain relief for a violation of this Act; authorizing the Commission to impose a certain civil penalty for a violation of this Act; defining certain terms; providing for the jurisdiction and enforcement authority of the Commission; and generally relating to gas pipeline safety.

BY adding to

Article – Public Safety

Section 15–101 through 15–108 to be under the new title “Title 15. Gas Pipeline Safety”

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 864 – Senator Zirkin**

AN ACT concerning

#### **Public Safety – Gas Pipelines – Gas Leak Response**

FOR the purpose of requiring the Public Service Commission to adopt regulations to classify certain gas leaks and to require certain gas transmission companies to remediate and monitor those leaks in a certain manner; requiring the Commission to adopt regulations to establish a certain penalty; requiring a gas transmission company to respond to a report of certain gas leaks in a certain manner; requiring a gas transmission company to receive and investigate reports of suspected leaks within a certain time frame; requiring the Commission to impose a certain penalty if a gas transmission company fails to respond to a report of a suspected gas leak within a certain time frame; requiring a gas transmission company to receive and investigate a report of a suspected gas leak from certain persons in the same manner as the gas transmission company would respond to an internally generated report; providing for the jurisdiction and enforcement authority of the Commission; defining certain terms; and generally relating to gas leaks.

BY adding to

Article – Public Safety

Section 15–101 through 15–104 to be under the new title “Title 15. Gas Pipeline Safety”

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 865 – Senator Zirkin**

AN ACT concerning

**Correctional Services – Good Conduct Credits – Firearm Related Crime**

FOR the purpose of providing that an inmate who is serving a sentence in a State or local correctional facility for a second or subsequent conviction of a certain firearm related crime is not entitled to a certain deduction from the inmate’s term of confinement; requiring the court, on request of the State’s Attorney, to make a certain finding as to whether a crime for which a defendant is convicted or receives a probation before judgment disposition is a firearm related crime; establishing that the State has the burden of proving by a preponderance of the evidence that the crime is a firearm related crime; requiring a finding by the court that a crime is a firearm related crime to become part of the court record for certain purposes; expanding the list of events that are required to be reported to the Criminal Justice Information System Central Repository to include a finding by a court that a defendant has been convicted of or received a probation before judgment disposition for a firearm related crime; defining certain terms; providing for the application of this Act; and generally relating to good conduct credits.

BY repealing and reenacting, with amendments,

Article – Correctional Services

Section 3–704 and 11–503

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Criminal Procedure

Section 6–234

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Procedure

Section 10–215

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 866 – Senator Middleton**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Charles County – Indian Head Center for the Arts**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2012 to include the Mayor and Town Council of the Town of Indian Head as a grantee for certain grants; providing for the purpose of a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2012.

BY repealing and reenacting, with amendments,  
Chapter 444 of the Acts of the General Assembly of 2012  
Section 1(3) Item ZA02(AJ) and Item ZA03(AC)

Read the first time and referred to the Committee on Rules.

**Senate Bill 867 – Senator Middleton**

AN ACT concerning

**Creation of a State Debt – Charles County – Melwood Recreation Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$105,000, the proceeds to be used as a grant to the Board of Directors of the Melwood Horticultural Training Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 868 – Senator Middleton**

AN ACT concerning

**Creation of a State Debt – Charles County – Children’s Aid Society Building Addition**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Directors of the Charles County Children’s Aid Society, Inc. for certain development or improvement



purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 869 – Senator Kittleman**

AN ACT concerning

**Public Ethics – Members of the General Assembly – Meals, Receptions, and Beverages**

FOR the purpose of prohibiting a member of the General Assembly from accepting a gift of a certain meal, reception, or beverage that exceeds a certain cost; and generally relating to the Public Ethics Law and members of the General Assembly.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 15–505(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 15–505(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 870 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Mount Pleasant Family Life Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Directors of the Mount Pleasant Community Development Corporation for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the

loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 871 – Senator Jacobs**

AN ACT concerning

**Criminal Procedure – Venue for Prosecution of False Statements Concerning Destructive Devices or Toxic Materials**

FOR the purpose of authorizing a certain crime involving circulating or transmitting a false statement or rumor about the location of a destructive device or toxic material to be prosecuted in a certain county in which the destructive device or toxic material was alleged to be located; and generally relating to the venue for prosecuting false statements concerning destructive devices or toxic materials.

BY repealing and reenacting, with amendments,  
Article – Criminal Law  
Section 9–504  
Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 872 – Senator Jacobs**

AN ACT concerning

**Criminal Procedure – Venue for Prosecution of Murder and Manslaughter**

FOR the purpose of authorizing a prosecution of a person for a violation of certain provisions of law prohibiting murder and manslaughter to be brought in a certain county in which the body or parts of the body were found under certain circumstances; and generally relating to the venue for prosecution of murder and manslaughter.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 4–201  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 873 – Senator Glassman**

AN ACT concerning

**Vehicle Emissions Inspection Program – Alternate Tests and Inspections**

FOR the purpose of requiring the Motor Vehicle Administration and the Maryland Department of the Environment to develop and use an alternate exhaust emissions test and an alternate emissions equipment and misfueling inspection under the Vehicle Emissions Inspection Program for a motor vehicle that cannot take or pass the primary test or inspection for certain reasons; authorizing the Administration and the Department to develop and use certain emissions tests or inspections previously used under the Program as an alternate test or inspection; and generally relating to the Vehicle Emissions Inspection Program.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 23–202(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 23–202(b)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 874 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Mayo Civic Association  
Community Hall**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$25,000, the proceeds to be used as a grant to the Board of Directors of the Mayo Civic Association, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 875 – Senator Conway**

AN ACT concerning

**Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and  
Oil Contaminated Site Environmental Cleanup Fund**

FOR the purpose of altering the basis for calculating a certain license fee credited to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund; altering the date by which the Department of the Environment is required to report annually to certain subcommittees of the General Assembly; authorizing the Oil Contaminated Site Environmental Cleanup Fund to be used to reimburse an owner of a certain heating oil tank for certain costs; extending the deadline by which the owner of a certain eligible heating oil tank may apply for reimbursement of certain costs from the Oil Contaminated Site Environmental Cleanup Fund; authorizing the owner of a certain heating oil tank to apply for the reimbursement of certain costs from the Oil Contaminated Site Environmental Cleanup Fund within a certain period of time; establishing a certain deductible for the owner of a certain heating oil tank; authorizing, in a certain fiscal year, the Secretary of the Environment to transfer up to a certain amount of money from the Oil Contaminated Site Environmental Cleanup Fund to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund; requiring the Secretary to convene a certain workgroup for a certain purpose; requiring, by a certain date, the Department to report to certain committees of the General Assembly; making stylistic changes; repealing a certain definition; defining certain terms; and generally relating to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and the Oil Contaminated Site Environmental Cleanup Fund.

BY repealing and reenacting, with amendments,  
Article – Environment  
Section 4-401, 4-411, 4-704, and 4-705  
Annotated Code of Maryland  
(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #1**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 6 – Senator Colburn**

AN ACT concerning

**Dorchester County – Restriction on Sunday Gaming – Repeal**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 22 – Senator Brinkley**

AN ACT concerning

**Sales and Use Tax – Exemption – Home Wheelchair Lifts and Stairlifts**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**MOTION**

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #2  
February 7, 2013

**Department of Business and Economic Development**

1. Dominick E. Murray District 43  
610 Highwood Drive  
Baltimore, MD 21212

Secretary of Department of Business and Economic Development; appointed to serve at the pleasure of the Governor

**Labor, Licensing, and Regulation, Department of**

2. Leonard J. Howie, III District 21  
4706 Harvard Road  
College Park, MD 20740

Secretary of Department of Labor, Licensing, and Regulation; appointed to serve at the pleasure of the Governor

**Amusement Ride Safety Advisory Board, State**

3. Shelley B. Rothenberg District 15  
13913 Little Tree Court  
Rockville, MD 20850

Member of the State Amusement Ride Safety Advisory Board; appointed to serve a term of four years from July 1, 2012

**Arts Council, Maryland State**

4. Nancy S. Graf District 29  
45335 Clarks Mill Road  
Hollywood, MD 20636

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2012

**Consumer Council**

5. Maxine Williams District 32  
8222 Marlton Court  
Severn, MD 21144

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2010

**Correctional Standards, Commission on**

6. Milton M. Crump, Jr. District 27  
10200 Lynn–Ric Drive  
Upper Marlboro, MD 20772

Member of the Commission on Correctional Standards; appointed to serve remainder of a term of three years from July 1, 2010

**Deaf and Hard of Hearing, Maryland Advisory Council for the**

7. Cleveland L. Horton, II District 45  
5937 Daywalt Avenue  
Baltimore, MD 21206

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2012

8. Keneithia Taylor District 10  
3705 Buckingham Road  
Gwynn Oak, MD 21207

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2012

**Dietetic Practice, State Board of**

9. Ivis T. Forrester, Ph.D. District 5  
6210 Glen Falls Road  
Reisterstown, MD 21136

Member of the State Board of Dietetic Practice; appointed to serve a term of four years from July 1, 2012

**Education, State Board of**

10. Linda Eberhart District 43  
311 Tuscany Road  
Baltimore, MD 21210

Member of the State Board of Education; appointed to serve a term of four years from July 1, 2012

11. Ebehireme Inegbenebor District 11  
4500 Ingham Road  
Owings Mills, MD 21117

Member of the State Board of Education; appointed to serve a term of one year from July 1, 2012

#### **Elevator Safety Review Board**

12. Michael W. Moran District 33  
1434 Saint Stephens Church Road  
Crownsville, MD 21032

Member of the Elevator Safety Review Board; appointed to serve a term to expire October 1, 2013

#### **Ethics Commission, State**

13. Robert G. Blue, Esq. District 42  
1809 Thornton Ridge Road  
Towson, MD 21204

Member of the State Ethics Commission; appointed to serve a term of five years from July 1, 2010

14. Paul M. Vettori, Esq. District 9  
3435 Nanmark Court  
Ellicott City, MD 21042

Member of the State Ethics Commission; reappointed to serve a term of five years from July 1, 2011

#### **Food Center Authority, Maryland**

15. John C. Guerriero District 46  
233 S. Exeter Street  
Baltimore, MD 21202

Member of the Maryland Food Center Authority; reappointed to serve a term of five years from July 1, 2009



16. Jeffrey M. Mowrey District 13  
7108 Biter Lane  
Highland, MD 20777

Member of the Maryland Food Center Authority; reappointed to serve a term of five years from July 1, 2012

17. Joseph A. Rosier, Jr. District 10  
33 Bishops Lane  
Catonsville, MD 21228

Member of the Maryland Food Center Authority; reappointed to serve a term of five years from July 1, 2010

18. Elizabeth S. Vary District 7  
5400 Forge Road  
White Marsh, MD 21162

Member of the Maryland Food Center Authority; reappointed to serve a term of five years from July 1, 2011

### **Handgun Roster Board**

19. Gail Fleming Golden District 28  
6443 Leopard Court  
Waldorf, MD 20603

Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2012

20. Jonathan W. Maurath District 8  
224 Elinor Avenue  
Baltimore, MD 21236

Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2008 and a term of four years from December 8, 2012

### **Hart–Miller–Pleasure Island Citizens Oversight Committee**

21. George Hetterick District 8  
8905 Carlisle Avenue  
Baltimore, MD 21236

Member of the Hart–Miller–Pleasure Island Citizens Oversight Committee; reappointed to serve a term of two years from July 1, 2011

22. Thomas G. Kroen  
435 Hopkins Landing Drive  
Baltimore, MD 21221

District 7

Member of the Hart–Miller–Pleasure Island Citizens Oversight Committee; reappointed to serve a term of two years from July 1, 2011

23. Francis H. Taylor  
7603 Iroquois Avenue  
Baltimore, MD 21219

District 6

Member of the Hart–Miller–Pleasure Island Citizens Oversight Committee; reappointed to serve a term of two years from July 1, 2011

24. Harry Wujek, Jr.  
9005 Chesapeake Avenue  
Baltimore, MD 21219

District 6

Member of the Hart–Miller–Pleasure Island Citizens Oversight Committee; reappointed to serve a term of two years from July 1, 2011

#### **Infants and Toddlers, Interagency Coordinating Council for**

25. Brenda Hussey–Gardner, Ph.D.  
12208 Linden Linthicum Lane  
Clarks, MD 21029

District 13

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2012

#### **Lottery and Gaming Control Commission, State**

26. John Morton, III  
8 Waveland Farm Road  
Annapolis, MD 21409

District 30

Member of the State Lottery and Gaming Control Commission; appointed to serve a term to expire September 30, 2017

**Stationary Engineers, State Board of**

27. Ricky W. Sanders District 38  
223 Oakdale Road  
Salisbury, MD 21801

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2010

**Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Economic Development Corporation Board of Directors, Maryland**

- S-1. Scott E. Dorsey District 7  
10631 Pot Spring Road  
Cockeysville, MD 21030

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2012

- S-2. Frederick J. Puente District 37  
6338 Quantico Mill Lane  
Quantico, MD 21856

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2012

**Infants and Toddlers, Interagency Coordinating Council for**

- S-3. Elizabeth Kelley District 4  
7687 Anvil Drive  
Frederick, MD 21701

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2012

- S-4. Amy N. Sargent, Ph.D. District 46  
526 S. Ellwood Avenue  
Baltimore, MD 21224

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2012

**Maryland Environmental Service, Board of Directors of**

S-5. William B.C. Addison, Jr.  
14540 Candy Hill Road  
Upper Marlboro, MD 20772

District 27

Member of the Board of Directors of Maryland Environmental Service; reappointed to serve a term of four years from July 1, 2012

**Master Electricians, State Board of**

S-6. Todd M. Borz  
6 W. Highfield Road  
Baltimore, MD 21218

District 43

Member of the State Board of Master Electricians; reappointed to serve a term of three years from July 1, 2012

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 8, 2013.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 147)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #9****Senate Bill 8 – Senators Astle and Middleton**

AN ACT concerning

**Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge**

Read the third time and passed by yeas and nays as follows:

Affirmative – 34    Negative – 13    (See Roll Call No. 148)

The Bill was then sent to the House of Delegates.

**Senate Bill 25 – Senators Forehand and Klausmeier**

AN ACT concerning

**Vehicle Laws – Title and Registration – Transfer to Surviving Spouse**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 149)

The Bill was then sent to the House of Delegates.

**Senate Bill 72 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicles – Damage to Highways from Overweight or Oversized  
Vehicles – Liability and Penalties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 150)

The Bill was then sent to the House of Delegates.

**Senate Bill 75 – Chair, Judicial Proceedings Committee (By Request –  
Departmental – Transportation)**

AN ACT concerning

**Motor Vehicle Administration – Investigative Division – Issuance of Citations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 151)

The Bill was then sent to the House of Delegates.

**Senate Bill 79 – Chair, Finance Committee (By Request – Departmental –  
Health and Mental Hygiene)**

AN ACT concerning

**Department of Health and Mental Hygiene – Advisory Councils – Renaming and Termination**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 152)

The Bill was then sent to the House of Delegates.

**Senate Bill 117 – Senator Benson**

AN ACT concerning

**Crimes – Sale of Drug Paraphernalia to a Minor – Local Law Authorizing Business License Revocation for a Second or Subsequent Violation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 153)

The Bill was then sent to the House of Delegates.

**Senate Bill 195 – Senators Kelley, Astle, Benson, Forehand, Glassman, Jacobs, Jones–Rodwell, Kittleman, Mathias, Middleton, Pugh, and Rosapepe**

AN ACT concerning

**Hospitals – Notice to Patients – Outpatient Status and Billing Implications**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 154)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 155)

**ADJOURNMENT**

At 11:56 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 8, 2013.

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**Annapolis, Maryland  
Friday, February 8, 2013  
11:00 A.M. Session**

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The Senate met at 11:14 A.M.

Prayer by Reverend Rick Edmund, Smith Island United Methodist Church, guest of Senator Mathias.

(See Exhibit A of Appendix III)

The Journal of February 7, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Klausmeier and Muse be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 157)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 225 – Senator David R. Brinkley:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Middletown High School Girls Soccer Team  
in recognition of  
winning the Maryland Class 2A Championship. Congratulations on an incredible  
season!

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 8th day of February 2013.

Read and adopted by a roll call vote as follows:



Affirmative – 44    Negative – 0    (See Roll Call No. 158)

Fulbright Scholars Introduced

## INTRODUCTION OF BILLS

### **Senate Bill 876 – Senator DeGrange**

AN ACT concerning

#### **Correctional Services – Standards for Correctional Facilities – Funding**

FOR the purpose of repealing a prohibition on the use of State funds to implement certain standards for State correctional facilities; and generally relating to standards for correctional facilities.

BY repealing

Article – Correctional Services

Section 8–104

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 877 – Senator Manno**

AN ACT concerning

#### **Project Open Space – Use of Funds – Artificial Turf Surfaces**

FOR the purpose of prohibiting the use of certain funds under Program Open Space to build new or replace existing athletic fields with certain artificial or synthetic turf surfaces; and generally relating to the use of funds for Program Open Space.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 5–903(g) and 5–905(a)

Annotated Code of Maryland

(2012 Replacement Volume)

BY adding to

Article – Natural Resources

Section 5–903(i)

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 878 – Senator Manno**

AN ACT concerning

**Procurement – Prevailing Wage Rates for School Construction – Application**

FOR the purpose of repealing a certain limitation on the applicability of the prevailing wage rate law to the construction of an elementary or secondary school by revising a certain definition; and generally relating to the applicability of the prevailing wage rate law.

BY repealing and reenacting, with amendments,  
Article – State Finance and Procurement  
Section 17–201  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 879 – Senators Edwards and Brinkley**

AN ACT concerning

**Natural Gas Severance Tax and Impact Account**

FOR the purpose of imposing a tax on the production of natural gas from certain wells in the State; setting the rate of the tax; providing for the administration of the tax by the Comptroller; authorizing the Comptroller to require certain security for the tax; imposing certain penalties for certain violations; requiring persons subject to the tax to file returns and keep and make available certain records and information; providing for the distribution of revenue from the tax; establishing the Natural Gas Impact Account as a special, nonlapsing fund in the Oil and Gas Fund; requiring the Department of the Environment to administer the Account; specifying the contents of the Account; specifying the purposes for which the Account may be used; authorizing the Department to recover certain costs expended from the Account in a civil action and deposit the recovered funds in the Account; requiring the Department to include certain information in a certain annual report to the Governor and the General Assembly; stating the intent of the General Assembly; defining certain terms; and generally relating to a tax on the production of natural gas from certain wells in the State.

BY adding to

## Article – Tax – General

Section 1–101(o–1); 2–104(c)(3); 2–11A–01 and 2–11A–02 to be under the new subtitle “Subtitle 11A. Natural Gas Severance Tax Revenue Distribution”; 10.5–101 through 10.5–301 to be under the new title “Title 10.5. Natural Gas Severance Tax”; and 13–825(f–1), 13–1001(d–1), 13–1003(b–1), 13–1008(b–1), and 13–1104(f–1)

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

## Article – Tax – General

Section 2–102, 13–201(3), 13–508(a) and (c), 13–509(a), and 13–1102

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

## Article – Environment

Section 14–124.1

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 880 – Senator Getty**

AN ACT concerning

**Public Information Act – Electronic Mail Address – Database and Disclosure**

FOR the purpose of authorizing a unit or an instrumentality of the State or of a political subdivision to maintain certain electronic mail addresses in a certain database; specifying that the database is confidential and not a public record; prohibiting the database from being disclosed in its entirety except under certain circumstances; establishing the circumstances under which a unit or an instrumentality is required and is authorized to disclose the database in its entirety; providing that an individual electronic mail address maintained in a database may be disclosed under certain circumstances; providing for the construction of this Act; and generally relating to the treatment of electronic mail addresses under the Public Information Act.

BY adding to

## Article – State Government

Section 10–624.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 881 – Senator Middleton**

AN ACT concerning

**Community Health Resources Commission – Revisions**

FOR the purpose of authorizing the Community Health Resources Commission to contract with a certain third party for certain services; prohibiting a certain third party from releasing, publishing, or similarly using certain information; providing that the power of the Secretary of Health and Mental Hygiene over a certain procurement procedure does not apply to the Commission; providing that, when procuring services or supplies, the Commission is subject to certain provisions of law; altering the purposes for which the Community Health Resources Commission Fund may be used; and generally relating to the Community Health Resources Commission.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 19–2101(c) and 19–2201(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 19–2107 and 19–2201(e)(1)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Health – General  
Section 19–2108(c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 882 – Senator Colburn**

AN ACT concerning

**Creation of a State Debt – Talbot County – Oxford Community Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Trustees of the Oxford Community Center, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that

the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 883 – Senator Ferguson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – The Baltimore Museum of Industry Capital Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of The Baltimore Museum of Industry, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 884 – Senator Ferguson**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Creative Alliance Project**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Board of Trustees of Fells Point Creative Alliance, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 885 – Senator Colburn**

AN ACT concerning

**State Retirement and Pension System – Board of Trustees – County Representation**

FOR the purpose of adding trustees to the Board of Trustees for the State Retirement and Pension System to represent certain interests; establishing the qualifications of the trustees; providing for the appointment of the trustees; providing that certain trustees serve staggered terms; specifying the terms of the new trustees; and generally relating to the Board of Trustees for the State Retirement and Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 21–104  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 886 – Senator Stone**

AN ACT concerning

#### **Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Compensation of Dealers**

FOR the purpose of requiring a manufacturer, distributor, or factory branch licensed in the State to specify in writing to each of its motor vehicle dealers in the State certain information relating to the compensation of dealers for certain parts and labor; establishing certain requirements for the reasonable compensation of dealers with respect to certain parts and labor; requiring a dealer to make a certain submission to a licensee; providing for the calculation of a dealer's labor rate and parts mark-up percentage for certain purposes; establishing requirements for a certain schedule of compensation; requiring a licensee to communicate directly with a certain agent of a dealer in regard to a certain submission under this Act; providing that certain repair orders for labor and parts do not constitute qualifying repair orders under this Act; requiring a licensee to compensate a dealer for certain parts given to a dealer at no cost; establishing that a certain schedule of compensation will be presumed to be accurate; requiring a licensee to begin compensation of a dealer under the schedule within certain periods of time under certain circumstances; providing for a rebuttal of the presumption of accuracy of the schedule of compensation; providing for the resolution of certain matters relating to the schedule of compensation; prohibiting a licensee from making or requiring certain calculations or establishing certain special parts or component numbers; prohibiting a licensee from requiring, influencing, or attempting to influence a dealer to change certain prices; prohibiting a licensee from recovering or attempting to recover certain costs; prohibiting a licensee from taking or threatening to take certain adverse action against a dealer under certain circumstances; prohibiting a licensee from implementing or continuing certain policies, procedures, or programs; repealing a certain provision relating to a

licensee's compensation of dealers for certain work; and generally relating to compensation of motor vehicle dealers by manufacturers, distributors, or factory branches.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 15–212  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 887 – Senator Garagiola**

AN ACT concerning

#### **Public Utilities – Solar Photovoltaic Systems**

FOR the purpose of specifying the contents of an application for a certificate of public convenience and necessity for a generating station that produces electricity from a certain solar photovoltaic system; altering the process by which the Department of Planning shall forward a certain application for a certificate of public convenience and necessity; exempting a generating station that produces electricity from a certain solar photovoltaic system from a certain requirement to obtain a certificate for public convenience and necessity; requiring a person who constructs a generating station to pay a certain deposit to the Public Service Commission based on certain criteria; specifying the basis for calculating a certain deposit; requiring the Maryland Energy Administration, in consultation with certain persons, to update and post on its Web site the basis for calculating a certain deposit; requiring the Commission to place certain deposits into a certain escrow account for a certain period of time; requiring the Commission to refund certain deposits under certain circumstances; requiring the Commission to transfer certain money to the Maryland Strategic Energy Investment Fund under certain circumstances; establishing a process for a person to receive an extension for a certain project before the Commission transfers certain money; specifying that the Strategic Energy Investment Fund may contain certain money transferred from the Commission; and generally relating to solar photovoltaic systems and certificates of public convenience and necessity.

BY repealing and reenacting, with amendments,  
Article – Public Utilities  
Section 7–207(b) and (c) and 7–207.1  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Public Utilities  
Section 7–207.2  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–20B–05(a), (b), (c), and (d)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–20B–05(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 888 – Senator Garagiola**

AN ACT concerning

#### **Task Force to Study Temporary Disability Insurance Programs**

FOR the purpose of establishing the Task Force to Study Temporary Disability Insurance Programs; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Temporary Disability Insurance Programs.

Read the first time and referred to the Committee on Rules.

## **MESSAGE FROM THE HOUSE OF DELEGATES**

### **FIRST READING OF HOUSE BILLS**

**House Bill 89 – Delegates Barkley, Barnes, Burns, Clagett, Davis, Feldman, Haddaway–Riccio, Hershey, Impallaria, Ivey, Jameson, Kaiser, Love, Luedtke, McDermott, W. Miller, Minnick, Reznik, S. Robinson, Rudolph, Schulz, Summers, Vaughn, and Zucker**



AN ACT concerning

**Gas Companies – Rate Regulation – Infrastructure Replacement Surcharge**

FOR the purpose of authorizing a gas company to recover certain costs associated with certain gas infrastructure replacement projects through a certain gas infrastructure replacement surcharge on customer bills; requiring project cost calculations to include certain elements; specifying when costs shall be collectible; specifying how the pretax rate of return shall be calculated and adjusted and what it shall include; prohibiting a certain monthly surcharge from exceeding a certain amount for certain customers; providing for the allocation of certain costs among customer classes; providing that certain adjustments for return on equity shall only be considered and determined in a certain base rate case; requiring the Public Service Commission to consider certain factors when establishing revenue requirements; authorizing the Commission to hold a public hearing on a plan within a certain period of time; requiring the Commission to take final action on a plan within a certain period of time; requiring the Commission to take final action on an amendment to ~~a~~ an approved plan within a certain period of time; authorizing the Commission to approve a plan under certain circumstances; requiring the Commission to approve a cost–recovery schedule under certain circumstances; requiring that a surcharge be in effect for a certain time; requiring a gas company to file base rate case applications within a certain period of time; specifying costs to be included in a surcharge when base rate applications are filed; authorizing a gas company to implement a plan under certain circumstances; requiring a gas company implementing a plan to make certain refunds under certain circumstances; requiring the Commission to authorize the gas company to increase a surcharge under certain circumstances; prohibiting the Commission from considering certain factors when reviewing a plan except under certain circumstances; requiring a gas company to file certain plan amendments each year with the Commission; authorizing the Commission to review certain plans and take certain actions based on the review; requiring a gas company to file a revised base rate schedule with the Commission to subtract certain costs from a surcharge under certain circumstances; stating the intent of the General Assembly with regard to the surcharge; defining certain terms; and generally relating to natural gas rate regulation and gas infrastructure replacement surcharges.

BY adding to

Article – Public Utilities

Section 4–210

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Finance.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #2**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 119 – Senator Reilly**

AN ACT concerning

**Property Tax – Exemption for Blind Individuals and Surviving Spouses**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON FINANCE REPORT #7**

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 121 – Senator Klausmeier**

AN ACT concerning

**Health Care Decisions Act – Incapacity to Make Informed Decision –  
Certification by Psychologist**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 142 – Senators Pugh, Benson, Forehand, Garagiola, Glassman,  
Kelley, Mathias, McFadden, Montgomery, Muse, and Ramirez**

AN ACT concerning

**Public Utilities – Telephone Service – Charges for Directory Assistance**

**SB0142/397677/1**

BY: Finance Committee

AMENDMENT TO SENATE BILL 142

(First Reading File Bill)

On page 1, in the sponsor line, strike “Muse, and Ramirez” and substitute “and Muse”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 356 – Senators Pugh, Benson, Conway, Currie, Forehand, Jones–Rodwell, King, Klausmeier, Madaleno, Ramirez, and Zirkin**

AN ACT concerning

**Ex–Offender Business Development Program Study**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #2**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #2  
February 7, 2013

**Department of Business and Economic Development**

1. Dominick E. Murray

District 43

610 Highwood Drive  
Baltimore, MD 21212

Secretary of Department of Business and Economic Development; appointed to serve at the pleasure of the Governor

### **Labor, Licensing, and Regulation, Department of**

2. Leonard J. Howie, III District 21  
4706 Harvard Road  
College Park, MD 20740

Secretary of Department of Labor, Licensing, and Regulation; appointed to serve at the pleasure of the Governor

### **Amusement Ride Safety Advisory Board, State**

3. Shelley B. Rothenberg District 15  
13913 Little Tree Court  
Rockville, MD 20850

Member of the State Amusement Ride Safety Advisory Board; appointed to serve a term of four years from July 1, 2012

### **Arts Council, Maryland State**

4. Nancy S. Graf District 29  
45335 Clarks Mill Road  
Hollywood, MD 20636

Member of the Maryland State Arts Council; appointed to serve a term of three years from July 1, 2012

### **Consumer Council**

5. Maxine Williams District 32  
8222 Marlton Court  
Severn, MD 21144

Member of the Consumer Council; appointed to serve remainder of a term of six years from July 1, 2010

### **Correctional Standards, Commission on**

6. Milton M. Crump, Jr. District 27  
10200 Lynn–Ric Drive  
Upper Marlboro, MD 20772

Member of the Commission on Correctional Standards; appointed to serve remainder of a term of three years from July 1, 2010

**Deaf and Hard of Hearing, Maryland Advisory Council for the**

7. Cleveland L. Horton, II District 45  
5937 Daywalt Avenue  
Baltimore, MD 21206

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2012

8. Keneithia Taylor District 10  
3705 Buckingham Road  
Gwynn Oak, MD 21207

Member of the Maryland Advisory Council for the Deaf and Hard of Hearing; appointed to serve a term of three years from October 1, 2012

**Dietetic Practice, State Board of**

9. Ivis T. Forrester, Ph.D. District 5  
6210 Glen Falls Road  
Reisterstown, MD 21136

Member of the State Board of Dietetic Practice; appointed to serve a term of four years from July 1, 2012

**Education, State Board of**

10. Linda Eberhart District 43  
311 Tuscany Road  
Baltimore, MD 21210

Member of the State Board of Education; appointed to serve a term of four years from July 1, 2012

11. Ebehireme Inegbenebor District 11  
4500 Ingham Road  
Owings Mills, MD 21117

Member of the State Board of Education; appointed to serve a term of one year from July 1, 2012

**Elevator Safety Review Board**

12. Michael W. Moran District 33  
1434 Saint Stephens Church Road  
Crownsville, MD 21032

Member of the Elevator Safety Review Board; appointed to serve a term to expire October 1, 2013

### **Ethics Commission, State**

13. Robert G. Blue, Esq. District 42  
1809 Thornton Ridge Road  
Towson, MD 21204

Member of the State Ethics Commission; appointed to serve a term of five years from July 1, 2010

14. Paul M. Vettori, Esq. District 9  
3435 Nanmark Court  
Ellicott City, MD 21042

Member of the State Ethics Commission; reappointed to serve a term of five years from July 1, 2011

### **Food Center Authority, Maryland**

15. John C. Guerriero District 46  
233 S. Exeter Street  
Baltimore, MD 21202

Member of the Maryland Food Center Authority; reappointed to serve a term of five years from July 1, 2009

16. Jeffrey M. Mowrey District 13  
7108 Biter Lane  
Highland, MD 20777

Member of the Maryland Food Center Authority; reappointed to serve a term of five years from July 1, 2012

17. Joseph A. Rosier, Jr. District 10  
33 Bishops Lane  
Catonsville, MD 21228

Member of the Maryland Food Center Authority; reappointed to serve a term of five years from July 1, 2010

18. Elizabeth S. Vary District 7

5400 Forge Road  
White Marsh, MD 21162

Member of the Maryland Food Center Authority; reappointed to serve a term of five years from July 1, 2011

### **Handgun Roster Board**

19. Gail Fleming Golden District 28  
6443 Leopard Court  
Waldorf, MD 20603

Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2012

20. Jonathan W. Maurath District 8  
224 Elinor Avenue  
Baltimore, MD 21236

Member of the Handgun Roster Board; reappointed to serve a term of four years from December 8, 2008 and a term of four years from December 8, 2012

### **Hart–Miller–Pleasure Island Citizens Oversight Committee**

21. George Hetterick District 8  
8905 Carlisle Avenue  
Baltimore, MD 21236

Member of the Hart–Miller–Pleasure Island Citizens Oversight Committee; reappointed to serve a term of two years from July 1, 2011

22. Thomas G. Kroen District 7  
435 Hopkins Landing Drive  
Baltimore, MD 21221

Member of the Hart–Miller–Pleasure Island Citizens Oversight Committee; reappointed to serve a term of two years from July 1, 2011

23. Francis H. Taylor District 6  
7603 Iroquois Avenue  
Baltimore, MD 21219

Member of the Hart–Miller–Pleasure Island Citizens Oversight Committee; reappointed to serve a term of two years from July 1, 2011

24. Harry Wujek, Jr. District 6  
9005 Chesapeake Avenue

Baltimore, MD 21219

Member of the Hart–Miller–Pleasure Island Citizens Oversight Committee; reappointed to serve a term of two years from July 1, 2011

### **Infants and Toddlers, Interagency Coordinating Council for**

25. Brenda Hussey–Gardner, Ph.D. District 13  
12208 Linden Linthicum Lane  
Clarks, MD 21029

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2012

### **Lottery and Gaming Control Commission, State**

26. John Morton, III District 30  
8 Waveland Farm Road  
Annapolis, MD 21409

Member of the State Lottery and Gaming Control Commission; appointed to serve a term to expire September 30, 2017

### **Stationary Engineers, State Board of**

27. Ricky W. Sanders District 38  
223 Oakdale Road  
Salisbury, MD 21801

Member of the State Board of Stationary Engineers; appointed to serve a term of three years from July 1, 2010

### **Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

### **Economic Development Corporation Board of Directors, Maryland**

- S–1. Scott E. Dorsey District 7  
10631 Pot Spring Road  
Cockeysville, MD 21030

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2012



S-2. Frederick J. Puente District 37  
6338 Quantico Mill Lane  
Quantico, MD 21856

Member of the Maryland Economic Development Corporation Board of Directors; reappointed to serve a term of four years from July 1, 2012

**Infants and Toddlers, Interagency Coordinating Council for**

S-3. Elizabeth Kelley District 4  
7687 Anvil Drive  
Frederick, MD 21701

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2012

S-4. Amy N. Sargent, Ph.D. District 46  
526 S. Ellwood Avenue  
Baltimore, MD 21224

Member of the Interagency Coordinating Council for Infants and Toddlers; reappointed to serve a term of three years from July 1, 2012

**Maryland Environmental Service, Board of Directors of**

S-5. William B.C. Addison, Jr. District 27  
14540 Candy Hill Road  
Upper Marlboro, MD 20772

Member of the Board of Directors of Maryland Environmental Service; reappointed to serve a term of four years from July 1, 2012

**Master Electricians, State Board of**

S-6. Todd M. Borz District 43  
6 W. Highfield Road  
Baltimore, MD 21218

Member of the State Board of Master Electricians; reappointed to serve a term of three years from July 1, 2012

STATUS: QUESTION IS WILL THE SENATE ADVISE AND CONSENT TO THE NOMINATIONS OF THE EXECUTIVE?

The President of the Senate put the following question: "Will the Senate advise and consent to the above nominations of the Executive?"

The above nominations of the Executive were all confirmed by roll call vote as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 159)

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 160)

### **THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

#### **THIRD READING CALENDAR (SENATE BILLS) #10**

**Senate Bill 74 – Chair, Judicial Proceedings Committee (By Request – Departmental – Natural Resources)**

AN ACT concerning

**Vessels – Operating While Under the Influence of or Impaired by Alcohol or Drugs**

Read the third time and passed by yeas and nays as follows:

Affirmative – 37    Negative – 8    (See Roll Call No. 161)

The Bill was then sent to the House of Delegates.

**Senate Bill 86 – Chair, Judicial Proceedings Committee (By Request – Departmental – Human Resources) and Senators Frosh, Brochin, Forehand, Gladden, Jacobs, Muse, Raskin, Stone, and Zirkin**

AN ACT concerning

**Voluntary Placement for Former Children in Need of Assistance**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 162)

The Bill was then sent to the House of Delegates.

**Senate Bill 170 – Senator Forehand**

AN ACT concerning

**Estates and Trusts – Modified Administration and Inheritance Tax**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 163)

The Bill was then sent to the House of Delegates.

**Senate Bill 196 – Senator Frosh**

AN ACT concerning

**Register of Wills – Salary**

Read the third time and passed by yeas and nays as follows:

Affirmative – 32    Negative – 12    (See Roll Call No. 164)

The Bill was then sent to the House of Delegates.

**Senate Bill 198 – Senator Frosh**

AN ACT concerning

**Estates and Trusts – Family Allowance**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 165)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 166)

**ADJOURNMENT**

At 11:59 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 8:00 P.M. on Monday, February 11, 2013.

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**Annapolis, Maryland**  
**Monday, February 11, 2013**  
**8:00 P.M. Session**

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The Senate met at 8:11 P.M.

Prayer by Reverend Timothy Dowell, Sr., Hiss United Methodist Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

The Journal of February 8, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senator King be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 168)

**INTRODUCTION OF BILLS**

**Senate Bill 889 – Senator Ferguson**

AN ACT concerning

**Nancy Grasmick Teacher Award and Walter Sondheim Jr. Public Service  
Summer Internship Scholarship – Qualifications**

FOR the purpose of requiring the Office of Student Financial Assistance to assist in the repayment of certain higher education loans owed by certain recipients of a Nancy Grasmick Teacher Award who receive certain degrees from certain institutions of higher education in the State or outside the State; altering a certain definition to authorize a certain student attending an institution of higher education outside the State to qualify for a Walter Sondheim Jr. Public Service Summer Internship Scholarship; altering certain qualifications for eligibility for a Walter Sondheim Jr. Public Service Summer Internship Scholarship; and generally relating to the Nancy Grasmick Teacher Award and the Walter Sondheim Jr. Public Service Summer Internship Scholarship Program.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 18–1502, 18–1701, and 18–1702  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 890 – Senator Currie**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – City of District Heights  
Senior Day Facility Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$250,000, the proceeds to be used as a grant to the Mayor and City Commissioners of the City of District Heights for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 891 – Senator Zirkin**

AN ACT concerning

**Courts – Service of Process – Driver of Motor Vehicle or Driver’s Estate**

FOR the purpose of designating a motor vehicle insurer or the Maryland Automobile Insurance Fund as the agent for a certain driver or the estate of the driver with regard to a subpoena, summons, or other process issued in a certain action involving a certain motor vehicle under certain circumstances; authorizing process to be served on a motor vehicle insurer or the Maryland Automobile Insurance Fund under certain circumstances; defining a certain term; providing for the application of this Act; and generally relating to service of process under certain circumstances.

BY adding to  
Article – Courts and Judicial Proceedings  
Section 6–314  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 892 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore County – New Creation Christian Academy Day Care Playground**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$100,000, the proceeds to be used as a grant to the Board of Trustees of New Creation Christian Church, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 893 – Senator Manno**

AN ACT concerning

**Municipal Property Taxes – Annual Budget Ordinance and Special Rates**

FOR the purpose of requiring the governing body of a municipal corporation, in selecting classes of property subject to a municipal corporation property tax, to select only certain classes of property and establish certain classes of taxable property in a certain ordinance; providing that the special rate established by a governing body of a municipal corporation under certain circumstances may not exceed a certain rate; providing for the application of this Act; and generally relating to municipal corporation property taxes.

BY repealing and reenacting, without amendments,

Article – Tax – Property  
Section 6–201 and 6–202  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Tax – Property  
Section 6–203 and 6–303  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 894 – Senator Montgomery**

AN ACT concerning

**Prosecution of Offenses Related to Practicing Medicine Without a License –  
Statute of Limitations – Repeal**

FOR the purpose of repealing the requirement that a prosecution for an offense under a certain provision of law of practicing, attempting to practice, or offering to practice medicine without a license be instituted within a certain number of years after the offense was committed; making conforming changes; and generally relating to the prosecution of offenses related to practicing medicine without a license.

BY repealing

Article – Courts and Judicial Proceedings  
Section 5–106(r)  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Real Property  
Section 14–117(l)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)

BY renumbering

Article – Courts and Judicial Proceedings  
Section 5–106(s) through (cc), respectively  
to be Section 5–106(r) through (bb), respectively  
Annotated Code of Maryland  
(2006 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 895 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Maryland Artificial Reef Initiative**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Directors of the Coastal Conservation Association for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the



encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

### **Senate Bill 896 – Senator Conway**

AN ACT concerning

#### **State Board of Pharmacy – Sterile Compounding – Permits**

FOR the purpose of requiring a sterile compounding facility to hold a sterile compounding permit issued by the State Board of Pharmacy before the sterile compounding facility may perform sterile compounding in the State; providing that a sterile compounding permit is required in addition to and does not replace certain other permits or licenses; requiring a sterile compounding facility that performs sterile compounding outside the State to hold a sterile compounding permit issued by the Board under certain circumstances; requiring a separate sterile compounding permit for each site at which sterile compounding is performed; prohibiting the transfer of a sterile compounding permit; requiring an applicant for a sterile compounding permit to satisfy the Board that the applicant will perform sterile compounding in accordance with certain requirements; requiring the Board to establish permit requirements in certain tiered permit categories and to require an applicant to obtain a permit in a certain category; establishing certain application requirements for a sterile compounding permit; prohibiting the Board from issuing a sterile compounding permit unless the Board or its designee conducts an inspection and finds that the sterile compounding facility meets certain requirements; requiring the Board to issue a sterile compounding permit to any applicant that meets certain requirements; providing for the expiration and renewal of a sterile compounding permit; requiring the Board to adopt regulations to carry out certain provisions of this Act; requiring the regulations to require or include certain provisions; establishing inspection and reporting requirements for sterile compounding applicants and permit holders; authorizing the Board to take certain disciplinary actions and impose certain fines for certain violations; providing that each violation is grounds for a separate fine; requiring the Board to pay certain fines into the State Board of Pharmacy Fund; providing for a certain hearing and a certain appeal; requiring the Board to report on its Web site and make available to the public on request certain information relating to certain actions of the Board; prohibiting a sterile compounding facility from operating in the State or allowing the sterile compounded preparations of the sterile compounding facility to be dispensed in the State unless the sterile compounding facility holds a sterile compounding permit issued by the Board; requiring the Board to maintain and submit to the Secretary with a certain frequency certain information relating to sterile compounding permit holders; establishing certain criminal penalties and a certain civil fine for certain violations; defining certain terms; repealing a certain obsolete provision of law;

and generally relating to sterile compounding permits and the State Board of Pharmacy.

BY adding to

Article – Health Occupations

Section 12–4A–01 through 12–4A–11 to be under the new subtitle “Subtitle 4A.  
Sterile Compounding Permits”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–707

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 897 – Senator Klausmeier**

AN ACT concerning

#### **Consumer Protection – Security Freezes – Children in Foster Care Settings**

FOR the purpose of requiring the Social Services Administration of the Maryland Department of Human Resources to request a security freeze on the consumer report or a certain record of certain protected consumers who are minor children in the custody of a local department of social services who have been placed in a foster care setting in accordance with certain application procedures; requiring a consumer reporting agency to place a security freeze for a protected consumer under certain circumstances and within a certain period of time; requiring a consumer reporting agency to create a certain record under certain circumstances; prohibiting a consumer agency from releasing certain information while a security freeze is in place; providing that a security freeze remains in effect until a certain request is made or the security freeze is removed in accordance with a certain provision of this Act; providing that a certain protected consumer or the Social Services Administration may request the removal of a certain security freeze by submitting a certain request in a certain manner under certain circumstances; requiring a consumer reporting agency to remove a certain security freeze within a certain period of time; prohibiting a consumer reporting agency from charging a certain fee; requiring the Social Services Administration to send each month to each consumer reporting agency by electronic transmission a certain list of children and a request for a security freeze for each child on the list; allowing a consumer reporting agency to remove a security freeze or delete a certain record under certain circumstances; providing that the exclusive remedy for a certain violation shall be a certain complaint filed with the Commissioner of Financial

Regulation; requiring the Social Services Administration, on the entry of a certain order for adoption, to provide certain notice to the adoptive parent of certain provisions of law; requiring the Social Services Administration to send to each consumer reporting agency by electronic means a certain list on the effective date of this Act; requiring a consumer agency that receives a certain list to delete certain information from a certain file and place a security freeze for the consumer record of the protected consumer; defining certain terms; and generally relating to consumer reports and security freezes.

BY adding to

Article – Commercial Law

Section 14–1212.3

Annotated Code of Maryland

(2005 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 898 – Senator Klausmeier**

AN ACT concerning

**Task Force to Study the Process for Assisting Cancer Patients at Local  
Departments of Social Services**

FOR the purpose of establishing the Task Force to Study the Process for Assisting Cancer Patients at Local Departments of Social Services; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study the Process for Assisting Cancer Patients at Local Departments of Social Services.

Read the first time and referred to the Committee on Rules.

**Senate Bill 899 – Senators Mathias, Brinkley, Colburn, DeGrange, Edwards,  
Forehand, Glassman, Jennings, Manno, Middleton, Montgomery,  
Simonaire, and Stone**

AN ACT concerning

**Local Government – Fire, Rescue, and Ambulance Funds – Distribution of  
Money to Volunteer Companies**

FOR the purpose of requiring that each county distribute a certain minimum percentage of funds that the county receives from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund to volunteer fire, rescue, and ambulance companies; providing a formula by which the amount of the money required to be distributed under this Act shall be calculated; requiring the Director of the Maryland Emergency Management Agency to submit an annual report to the General Assembly on the amount of money distributed by each county to volunteer companies; requiring each county to include certain information in a certain report; providing for the application of this Act; and generally relating to the distribution of money from the Senator William H. Amoss Fire, Rescue, and Ambulance Fund.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 8–102(a), (b), (d), and (f)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 8–103, 8–104, and 8–105  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 900 – Senator Jones–Rodwell**

AN ACT concerning

#### **Baltimore City – Community Development Projects – Payment in Lieu of Taxes Agreements**

FOR the purpose of authorizing the City of Baltimore to exempt certain real estate development projects that provide job opportunities and involve private investment of less than specified amounts and are located outside of a specified urban renewal area from Baltimore City real property tax if the owner of the project and Baltimore City enter into a certain payment in lieu of taxes agreement; defining a certain term; making conforming changes; providing for the application of this Act; and generally relating to payment in lieu of taxes agreements for certain real estate development projects in Baltimore City.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 7–504.3  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 901 – Senators Dyson and Conway**

AN ACT concerning

**Election Law – Elections by Mail**

FOR the purpose of requiring that elections be conducted by mail; requiring the State Board of Elections, in consultation with the local boards of elections, to select a certain voting system; requiring the State Board to adopt certain regulations; requiring local boards of elections to mail a ballot to certain voters by certain deadlines; authorizing certain voters to request that a local board provide a ballot to the voter; requiring a voter who receives a ballot to take certain action to vote the ballot; providing for the methods by which a voter may return a ballot; specifying that a ballot must be received by a certain deadline; authorizing an individual, under certain circumstances, to request a replacement ballot; requiring a local board, under certain circumstances, to take certain action regarding replacement ballots; requiring a voter to take certain action to vote a replacement ballot; providing for the circumstances under which ballots are to be counted; requiring that a voter who is at a certain location by a certain time on the day of an election be allowed to deposit a ballot; providing for the circumstances under which the deadline for returning ballots may be extended; requiring a ballot to contain a certain statement; repealing certain language and various provisions of law that are rendered obsolete by this Act; altering certain definitions; making certain conforming changes; and generally relating to elections by mail.

BY repealing

Article – Election Law

Section 9–101 through 9–105 and the subtitle “Subtitle 1. Voting Systems”;  
9–401 through 9–408 and the subtitle “Subtitle 4. Provisional Ballots”;  
9–501 through 9–506 and the subtitle “Subtitle 5. Montgomery County  
Voting by Mail”; 10–101 through 10–315 and the title “Title 10. Polling  
Places”; 11–202, 11–303, 11–403, 16–203, 16–207, 16–303, and 16–304;  
and 16–801 through 16–804 and the subtitle “Subtitle 8. Voting  
Equipment”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 1–101, 2–202(b)(6), 2–303, 9–205, 16–201(a)(6), 16–205(a)(2), and  
16–206

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 9–101 through 9–107 to be under the new subtitle “Subtitle 1. Elections by Mail”

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 902 – Senators Muse and Zirkin**

AN ACT concerning

#### **Statewide Building Codes – Maryland Accessibility Code – Enforcement**

FOR the purpose of authorizing an aggrieved individual to commence a civil action to obtain relief for a violation of the Maryland Accessibility Code by a person that operates a building of four or more dwelling units under certain circumstances; authorizing a court that finds that a violation of the Maryland Accessibility Code has occurred to grant certain relief and award certain costs and damages under certain circumstances; and generally relating to enforcement actions brought by aggrieved individuals under the Maryland Accessibility Code.

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 12–202

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 903 – Senator Raskin**

AN ACT concerning

#### **Maryland Consolidated Capital Bond Loan of 2005 – Montgomery County – Old Blair High School Auditorium**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2005 to extend the date by which the Board of Directors of the Old Blair Auditorium Project, Inc. must present evidence that a matching fund will be provided; providing that this grant may not terminate before June 1, 2014; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2005.

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 65 of the Acts of the General Assembly of 2007, Chapter 219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the General Assembly of 2009, Chapter 372 of the Acts of the General Assembly of 2010, and Chapter 639 of the Acts of the General Assembly of 2012

Section 1(3) Item ZA01(AR) and Item ZA02(AV)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 904 – Senator Klausmeier**

AN ACT concerning

#### **Health Insurance – Vision Services – Provider Contracts and Delivery Systems**

FOR the purpose of prohibiting a carrier from including in a vision provider contract a provision that requires a vision provider to provide certain services at a fee set by the carrier; requiring a carrier to offer a certain vision point-of-service delivery system option to certain persons under certain circumstances; prohibiting a carrier from imposing a minimum participation level on a vision point-of-service option under certain circumstances; authorizing an employer, association, or other private group arrangement to require an employee or other individual to pay a certain premium under certain circumstances; authorizing a carrier to impose different cost-sharing provisions for a vision point-of-service option based on whether the vision service is provided through the carrier's provider panel or outside the carrier's provider panel; defining certain terms; providing for the application of this Act; and generally relating to vision services and health insurance carriers.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 15–112.2(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY adding to

Article – Insurance

Section 15–112.2(h) and 15–114.1

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 905 – Senator DeGrange**

AN ACT concerning

**Video Lottery Facilities – Table Game Proceeds**

FOR the purpose of adding table games to a certain definition of proceeds that applies to video lottery terminal operations; and generally relating to table game operations at video lottery facilities.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–01(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–01(u)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 906 – Senator DeGrange**

AN ACT concerning

**Transportation – Life Cycle Cost Analysis**

FOR the purpose of requiring the Department of Transportation to adopt regulations to establish a methodology for applying life cycle cost analysis to the evaluation of certain capital projects; requiring that the life cycle cost analysis methodology address certain matters; requiring the Department to submit a report of the results of the life cycle cost analysis for certain projects to the Board of Public Works for certain purposes; defining a certain term; and generally relating to life cycle cost analysis of certain capital projects of the Department of Transportation.

BY repealing and reenacting, with amendments,  
Article – Transportation  
Section 2–103.1(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 907 – Senator Zirkin**



AN ACT concerning

**Pipeline Safety and Community Protection Act**

FOR the purpose of requiring the Public Service Commission to act under a certain certification or agreement with the U.S. Secretary of Transportation as an interstate authority agent for the purpose of implementing certain federal pipeline safety laws; requiring the Commission to take certain actions necessary to carry out its responsibilities under the certification or agreement; authorizing the Commission to accept grants-in-aid, cash, and reimbursements to implement certain federal pipeline safety laws; requiring the Commission to adopt certain federal regulations as minimum standards for gas pipelines in the State; requiring a gas transmission company and the Commission to notify the National Response Center of the U.S. Coast Guard of certain errors and new information relating to a gas pipeline; authorizing the Commission to enter, inspect, and examine certain records and property of a gas transmission company for a certain purpose and under certain circumstances; requiring the Commission to inspect a gas pipeline with a certain frequency; authorizing the Commission to assess and collect a certain inspection fee; requiring a gas transmission company to submit a certain report containing certain information on the state of its gas pipelines to the Commission and to certain owners of real property; requiring the Commission to make certain reports available to the public, including by publication on its Web site; requiring a gas transmission company to identify and provide a certain notice to certain owners of real property; requiring a gas transmission company to provide to the Commission a current list of certain property owners; requiring the Commission to adopt regulations to classify certain gas leaks and to require certain gas transmission companies to remediate and monitor those leaks in a certain manner; requiring a gas transmission company to respond to a report of certain gas leaks in a certain manner; requiring a gas transmission company to receive and investigate reports of suspected leaks within a certain time frame; requiring a gas transmission company to receive and investigate a report of a suspected gas leak from certain persons in the same manner as the gas transmission company would respond to an internally generated report; prohibiting a person from beginning construction in the State on a gas pipeline without first obtaining a certain construction permit; identifying certain information that a certain construction permit application must contain; establishing certain procedures for public comment, public hearings, and the evaluation of a certain construction permit application; authorizing the Commission to take certain actions on a certain construction permit application only under certain circumstances; requiring an applicant for a certain construction permit to complete and submit to the Commission an environmental impact assessment including certain information; requiring the Commission to develop certain guidelines for evaluating the suitability of proposed sites, corridors, and routes for gas pipelines; requiring the Commission to develop criteria for identifying certain exclusion and avoidance areas; prohibiting the Commission from authorizing construction of a gas pipeline that will affect an exclusion or

avoidance area, except under certain circumstances; establishing a certain setback distance and a certain minimum depth for certain gas pipelines; prohibiting a gas transmission company from beginning construction on a gas pipeline before certain legal proceedings become final; requiring a gas transmission company to prepare and submit to the Commission a valve location plan and certain related recommendations; requiring the Commission to examine and take certain actions on a valve location plan; requiring the Commission to establish certain standards, procedures, and requirements relating to automatic shutoff and remote-controlled sectionalized block valves; requiring a gas transmission company to prepare and submit to the Commission a comprehensive pressure testing implementation plan including certain information; requiring the Commission to establish a certain deadline for the pressure testing and replacement of all gas pipelines in the State; requiring the Maryland Emergency Management Agency (MEMA), in consultation with certain persons, to establish emergency response standards for certain gas transmission companies; requiring a gas transmission company to submit to MEMA an emergency response plan that meets certain minimum federal standards; requiring MEMA to review the emergency response plan of a gas transmission company and to require certain amendments or updates as needed to protect public safety; requiring a gas transmission company to meet with a certain local fire department to discuss and review emergency response plans; authorizing the Commission to adopt certain regulations implementing this Act; authorizing the Commission to seek a certain relief; authorizing the Commission to impose certain civil penalties; defining certain terms; and generally relating to gas pipeline safety.

BY adding to

Article – Public Safety

Section 15–101 through 15–403 to be under the new title “Title 15. Pipeline Safety and Community Protection Act”

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 908 – Senator Robey**

AN ACT concerning

#### **Law Enforcement Officers’ Pension System – Reemployment of Retirees**

FOR the purpose of requiring certain retirees of the Law Enforcement Officers’ Pension System who are reemployed under certain circumstances to terminate participation in a certain Deferred Retirement Option Program and receive a certain lump sum payment before being reemployed by the Natural Resources Police Force; requiring that certain retirees of the Law Enforcement Officers’ Pension System who are reemployed and injured under certain circumstances

receive a certain adjustment to their retirement allowance; requiring that the Board of Trustees for the State Retirement and Pension System pay a certain death benefit to certain beneficiaries of certain retirees of the Law Enforcement Officers' Pension System under certain circumstances; and generally relating to reemployment of retirees of the Law Enforcement Officers' Pension System.

BY repealing and reenacting, with amendments,  
Article – State Personnel and Pensions  
Section 26–403  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – State Personnel and Pensions  
Section 26–403.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 909 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Comet Booster Club  
Concession Stand**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$65,000, the proceeds to be used as a grant to the Board of Directors of the Comet Booster Club, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**THE COMMITTEE ON BUDGET AND TAXATION REPORT #3**

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 69 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Comptroller)**

AN ACT concerning

**Tobacco Products – Tobacco Tax – Exemptions and Penalties****SB0069/379736/1**

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 69

(First Reading File Bill)

On page 2, in line 13, strike “\$50 or 1 carton” and substitute “\$100 OR 5 CARTONS”; strike beginning with the colon in line 18 down through “exchange,” in line 20; in line 21, strike “2” and substitute “5”; and strike beginning with the second “or” in line 21 down through “commisary;” in line 24.

The preceding amendment was read only.

Senator Brochin moved, duly seconded, that the Bill and Amendment be laid over under the Rule.

The motion was adopted.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 124 – Senators Peters, Astle, Brinkley, Brochin, Colburn, Currie, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, Kittleman, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Raskin, Simonaire, and Zirkin**

AN ACT concerning

**Income Tax Credit for Qualifying Employees – Sunset Repeal and Expansion****SB0124/659135/1**

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 124

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, Jones–Rodwell, and DeGrange”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 144 – Senator Kasemeyer**

AN ACT concerning

**Property Tax Credit – Historically and Architecturally Valuable Property**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

**Senate Bill 154 – Senator Mathias**

AN ACT concerning

**Somerset County – County Treasurer – Abolishment and Transfer of Functions to the County Supervisor of Tax Collection**

**SB0154/209239/1**

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 154

(First Reading File Bill)

AMENDMENT NO. 1

On page 2, strike in their entirety lines 18 through 21, inclusive, and substitute:

“Article – Local Government

Section 16–204

Annotated Code of Maryland

(As enacted by Chapter (H.B. 472) of the Acts of the General Assembly of 2013)”.

AMENDMENT NO. 2

On page 11, strike in their entirety lines 20 through 23, inclusive, and substitute:

“Article – Local Government

[16–204.

The annual salary of the County Treasurer of Somerset County is \$60,000.]”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 269 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Correction of Errors in Benefits**

Senator Kittleman moved, duly seconded, to make the Bill and Report a Special Order for February 12, 2013.

The motion was adopted.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

**Senate Bill 476 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Unused Sick Leave Calculation – Clarification**

Senator Kittleman moved, duly seconded, to make the Bill and Report a Special Order for February 12, 2013.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 169)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #11**

**Senate Bill 6 – Senator Colburn**

AN ACT concerning

**Dorchester County – Restriction on Sunday Gaming – Repeal**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 170)

The Bill was then sent to the House of Delegates.

**Senate Bill 22 – Senator Brinkley**

AN ACT concerning

**Sales and Use Tax – Exemption – Home Wheelchair Lifts and Stairlifts**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 171)

The Bill was then sent to the House of Delegates.

**MOTION**

Senator Pipkin moved, duly seconded, to amend Rule 35.

Senate Rule 35. Scheduling of Committee Meetings

(a) A committee may not meet while the Senate is in session without special leave of the President.

(b) The President may designate days or periods of hours during which special and select committees may meet, and during these times the standing committees may not meet.

(c) The Department of Legislative Services shall compile a list of the meetings scheduled by the committees and distribute it periodically.

(d) All committee meetings shall be audio recorded unless otherwise directed by the committee chairman.

(E) IF THE PRESIDENT, ON THE PRESIDENT'S OWN INITIATIVE OR AT THE REQUEST OF TWO OR MORE MEMBERS, DESIGNATES A BILL TO BE OF EXTRAORDINARY PUBLIC INTEREST:

(1) WITNESSES WISHING TO TESTIFY AT THE COMMITTEE'S PUBLIC HEARING ON THE BILL SHALL BE ALLOWED TO SIGN UP VIA THE MARYLAND GENERAL ASSEMBLY'S WEBSITE BEFORE THE DAY OF THE HEARING; AND

(2) THE CHAIRMAN OF THE COMMITTEE TO WHICH THE BILL IS ASSIGNED SHALL ARRANGE AN ALTERNATIVE VENUE AND SCHEDULE ADDITIONAL TIME FOR THE BILL HEARING AS NECESSARY TO ACCOMMODATE ALL OF THE WITNESSES WISHING TO TESTIFY.

Read the first time and referred to the Committee on Rules.

**Lincoln Day Address by Senator Joe Getty**  
**Maryland State Senate**  
**February 11, 2013**

Mr. President, President Pro Tem, Majority Leader, Minority Leader –

It is indeed a great honor for me to deliver the Lincoln Day Address for the 2013 Legislative Session.

If there is only one thing that you take away from my commentary today – I would like it to be this: recognition that you have a special relationship with President Abraham Lincoln.

You, the members of the Maryland Senate, have a unique affinity with President Lincoln – the Great Emancipator and the eternally–revered president who ended slavery in the United States of America.



That special relationship is this: Abraham Lincoln was once like you a lowly state legislator.

In fact he was lower than you, because he was a member the Lower Chamber while you, as you should always remember, are a member of the Upper Chamber. [Laughter]

My point is – Abraham Lincoln cut his political teeth doing the same thing that you do – helping constituents with state issues, debating state laws and agonizing over state budgets.

Lincoln was elected to the Illinois House of Representatives in 1834. He was member of the minority, the Whig Party.

State issues in Illinois over 179 years ago were not much different than the core issues in Maryland today. For example, Illinois suffered from depleted transportation funding – although instead of an ICC (Inter County Connector) the legislators were funding the Illinois and Michigan Canal.

Lincoln was a member of a group dubbed the “Long Nine” – two Senators and seven House members so named because of their physical appearance of being very tall. The “Long Nine” shepherded through controversial legislation to move the state capital from Vandalia to Springfield.

Historians credit Lincoln’s ability to negotiate and barter for votes over contentious issues in the state legislature as being the fundamental experience that laid the foundation for his later legislative achievements on the national stage, especially the dramatic vote in the U.S. House of Representatives that passed the 13th Amendment to end slavery. That vote, as you are well-aware, is the subject of Steven Spielberg’s recently-released, highly-acclaimed and award-winning movie, “Lincoln.”

The movie depicts Lincoln as being an avid storyteller. I would like to share with you Lincoln’s favorite story from his days in the Illinois state legislature – a reminiscence that he referred to as “the jumping scrape.”

Lincoln and his fellow Whigs were concerned about the business climate of the State. They believed that continuing a banking policy in favor of a strong, centralized State Bank would make credit readily available for both public and private infrastructure improvements.

The Illinois Democrats feared a strong State Bank and instead favored a decentralized banking policy of independent banks throughout the state. The existing legislation that supported the State Bank was to sunset at the end of the 1840 Session.

Now the minority party’s strategy was this: The Session could not close without a quorum call. Several of the Democrat House members were sick, so they had an insufficient number to make the quorum within their own caucus.

Thus the Whigs boycotted the closing sessions hoping to gain leverage so that the centralized State Bank would be reauthorized. To insure that the session could not end, the Whigs sent Lincoln and colleague Ben Stone to demand the quorum roll call each day and keep the session alive.

One day, without Lincoln's knowledge, several of the Democrat members left their sickbeds and arrived on the floor. While on the House floor, Lincoln learned that these members were hidden in the back and realized that his presence completed the quorum. He grabbed Ben Stone and they ran towards the back door of the chamber. The Sergeant-of-Arms was stationed there to block their exit.

So they took off to the side and, risking life and limb, jumped out of the window from the second-floor chamber, landed down on the ground and took off running. Their brilliant strategy was foiled when the House Speaker deemed them as present for the quorum call and the Session adjourned *Sine Die*.

You might be surprised to know that this jumping scrape had an impact in Maryland. In 1902, a young state senator named Mike Miller, being a Lincoln scholar himself, said to the architects of this very chamber: "Put marble on the walls I don't want any stinking windows!" [Laughter]

That is a little-known fact of Maryland State House folklore (using a great deal of artistic license).

Historical accuracy versus artistic license is a topic that has been recently debated since the release of the movie "Lincoln."

Just last week, U.S. Rep. Joe Courtney (D-Conn.) sent a letter to director Steven Spielberg requesting a correction to the historical inaccuracy in the movie that depicts two of the congressman from Connecticut voting against the 13th Amendment. In real life, the roll call from the congressional archives indicates that all four congressmen from Connecticut voted for the amendment.

Let me state from the start that I believe that the movie, despite a few factual inaccuracies, provides an excellent historical interpretation of Lincoln and the legislative fight to pass the 13th Amendment. This movie will be used in political science classes for generations to come for the instruction of legislative process – a topic that we as members of the Senate deal with day in and day out.

The compelling script and the excellent portrayals by Daniel Day-Lewis and other cast members convey the emotional hardship and personal turmoil faced by Lincoln and his family during the Civil War.

I had a unique insight in watching the film because I have a cousin who is an actor and played the role of a Congressman in the debate scenes for the 13th Amendment.

I invited my cousin, Jack Hoke, to be with us tonight – if you could give him a warm welcome. [Applause] (Don't clap too loud I haven't told you yet how he voted on the amendment to end slavery.) [Laughter]

Jack is accompanied by his wife, Sallie, and my aunt and uncle, Nellie and Solomon Hoke. Nellie is my father's sister and the Hoke family has been very strong supporters of my two careers: one in local history and the other in elected office.

Jack Hoke played the role of a Radical Republican congressman aligned with Rep. Thaddeus Stevens, played by Tommy Lee Jones in the movie. While Jack did not have a speaking role, I could tell by his animated expressions during the movie that he was an intense advocate for abolishing slavery.

After the filming, Jack described to me the many ways in which the directors took great strides to insure that the movie was historically accurate. Those stories are too long for me to relate here tonight – but it was an impressive effort of historical documentation.

One of the scenes criticized by historians is the opening that shows Lincoln sitting in public and two young African–American soldiers coming up to him and reciting the Gettysburg Address. This encounter was unlikely to have occurred because Lincoln’s Gettysburg Address was not given the immediate celebrity status that we have today – such as, say, quarterback Joe Flacco’s Super Bowl win.

It took a generation or more of time passing before the American public appreciated Lincoln’s crafting of the words in the Gettysburg Address.

However, I enjoyed the artistic license taken in the opening scene because it underscores the role of the African–American military during the Civil War – a theme that appears several times in the movie.

African–Americans were prohibited from serving in the military under a 1792 federal law. Lincoln ended that prohibition with the Emancipation Proclamation issued after the Battle of Antietam in Maryland.

The units designated in the Civil War as the “U.S. Colored Troops” eventually comprised ten percent of the Union Army. The role of the African–American military is frequently under–represented in American history – so the movie’s references are enlightening.

This African–American military tradition continued after the Civil War, primarily in units known as the Buffalo Soldiers, created by an act of Congress in 1866. The Buffalo Soldiers were instrumental in the westward expansion of United States by protecting settlers and building the infrastructure needed for new settlements to flourish.

Segregated Buffalo soldier units continued in the U.S. Army through World War I, World War II and into the Korean War.

I am honored to recognize this evening this historic tradition of Buffalo Soldiers by introducing to this chamber a World War II Buffalo Soldier veteran, Corporal William McKinley Decatur, a resident of Sykesville.

Corporal Decatur was drafted into the regular Army in 1941 was assigned to the 10th Cavalry Regiment at Fort Riley, Kansas. After war was declared, he was transferred to the Machine Gun Unit of Troop F, 10th Cavalry, Buffalo Soldiers. Decatur had a distinguished career as a Buffalo Soldier.

Corporal Decatur – the entire Senate of Maryland thanks you for your service as a Buffalo Soldier. [Applause]

Today at 93-years-old, Corporal Decatur encourages the study of this unique African-American military history by his participation with a 10th Calvary Buffalo Soldier re-enactment group whose members are in the gallery tonight. If you would please welcome them to the Md. Senate. [Applause]

It is the collective effort of individuals like Corporal Decatur who have paved the way for advances in our communities over the last 50 years of the civil rights movement. These advances were anticipated in the policies, votes and writings of Abraham Lincoln, the Radical Republicans and other abolitionists.

Forging the path for these advances in Carroll County is the NAACP Branch #7014. I would like to recognize their advocacy and introduce tonight Jean Lewis, president of the Carroll County Branch, and her husband, John Lewis, a former president and stellar leader of the Carroll County Branch. [Applause]

I have stressed the importance of history to my family as an attribute for civic involvement and a foundation for understanding modern political thought and American cultural traditions. My wife Susan and my children have indulged my various mini-lectures and side-trip excursions to historical sites.

If I may, I would like to introduce my family present tonight, my sister Martha Joiner, my daughter Madison who is a freshman at Washington College, and my daughter Laura who works for Compass Marketing, Inc., in Annapolis. [Applause] As many of you know, my son Nathan is serving in the U.S. Navy and currently deployed in the Persian Gulf.

For me, there was one family moment in the movie “Lincoln” where I was truly stunned.

It is the gripping scene where Lincoln rode his horse through the Petersburg, Va., battlefield with bodies strewn across the bloody terrain. At the bottom of the screen was the subtitle, “Petersburg, Virginia, April 3, 1865.”

That date drew a direct connection to my family. Our uncle led a company of Union soldiers and died as a result of injuries during this engagement known as the “Battle of the 3rd of April.”

I knew that President Lincoln had visited to Petersburg – but that scene on the big screen illustrated my uncle’s gallantry to me more than any written history of the Civil War.

My great-great-great-uncle, Captain Thomas Ocker, of Westminster, Md. served in the 6th Regiment, Maryland Volunteer Infantry. Like many local Maryland citizens, he volunteered.

He mustered in on August 18, 1862, a month before the Battle of Antietam. Over the course of three years of combat service, he rose from a private in Company C to Captain of Company A.

During the Petersburg Campaign, Union and Confederate troops fought for over nine months as the Union Army held a siege over the Confederate trenches protecting Petersburg, Virginia. The U.S. Colored Troops and the Md. 6th Regiment had a significant presence in the skirmishes and battles at Petersburg.

On the morning of April 2, General Grant attacked the weakest part of the Confederate fortifications and broke through but lost 1,100 men in fifteen minutes.

The Maryland 6th Regiment was at the forefront of what is known to historians as the “Breakthrough Battle” but suffered traumatic widespread casualties.

In a contemporaneous report filed by Lt. Col. Joseph C. Hill of the 6th Regiment Headquarters, the engagement was described as follows:

**On the morning of the 2nd instant we filed out of our main works and formed the center of the first battle line . . . At about 5 a.m. the command to advance was given, and the line moved forward, completely routing and capturing the entire picket-line of the enemy in our front, after which this command dashed forward and succeeded in planting the first colors on the enemy’s works in our front, supported for some minutes by a small band, consisting of six officers and about twenty men, during which time Major C. K. Prentiss, Captain Thomas Ocker, First Lieutenant Thomas Duff, and Second Lieutenant Thomas H. Goldsborough were severely wounded.**

Last month, Senator Joanne Benson gave a personal account and tribute to the civil rights movement in her excellent Martin Luther King, Jr., Day Address. She shared with us what she wonders about: How would Dr. King view today – what would he think about our advancements and accomplishments in striving towards his dream. That would be powerful to know.

I would like to share with you what I frequently wonder about. I would like to go back in history because I wonder what my uncle Thomas Ocker thought about the swirling of historical events during the last days of his life.

I wonder what he thought about of his role in military service and ending slavery in the United States.

He lived an additional 32 days after his injuries. To understand this, you must realize the primitive state of Civil War medicine: doctors did not have an antiseptic practice – they did not understand infection and the cause of disease. They only treated symptoms.

Ocker was 27 years old. He was probably alert and mentally competent with non-fatal flesh injuries but eventually succumbed to gangrene in the same manner in which we lost many Civil War combatants.

So I wonder: while attempting to recover at City Point Hospital, Petersburg, what did Ocker think of the sequence of historical events in which he was critically involved?

The timeline includes this: Ocker was injured on April 2 as Petersburg fell.

The next day, April 3, the confederate capital of Richmond, surrendered.

On April 9, the Confederate States fell as General Robert E. Lee surrendered at Appomattox, Virginia.

On Friday, April 14, President Lincoln was assassinated.

My uncle Thomas Ocker died twenty days later on May 4.

What a confluence of events that not only impacted the history of our country – but influenced the gradual elimination of slavery world-wide.

From watching the movie “Lincoln,” my sense of historical wondering has expanded. The movie shows President Lincoln visiting the injured at the City Point Hospital in Petersburg.

Lincoln went to Petersburg on March 24 hoping to secure a Confederate surrender without additional bloodshed. He stayed there for sixteen days through the “Breakthrough Battle” and its aftermath.

Before departing Petersburg on April 8, Lincoln visited the wounded at the Depot Field Hospital at City Point. Upon his arrival, he said, “I came here to take by hand the men who have achieved our glorious victories.”

Newspaper accounts report that he shook hands with over 6,000 soldiers that day.

So I wonder: Did President Lincoln speak directly to my uncle – just days before Lincoln’s assassination and weeks before my uncle’s death? If so, what did they say?

In my office, I keep a copy of Ocker’s tinted photograph in his Civil War uniform. It is an image cherished by over five generations of our family.

When I look at that photograph, I wonder: What did Ocker think about his role in history? Of Lincoln’s role in history?

Did he understand how significant he and his fallen comrades were to the success of ending slavery and changing the history of modern times?

I assume that Ocker understood his role in history. I assume that his thoughts would be similar to these sentiments expressed by the editor of the local newspaper in Westminster, who wrote in Ocker's obituary:

It becomes our painful duty to-day to announce the death of Captain Thomas Ocker,. . . . He was a young man of great moral worth, a true soldier, and held in the highest estimation as well by the men under his immediate command as our entire community. He was among the first to enlist from our place in defence of his country, and nobly has he sustained himself to the end. And while we regret that he has been denied the enjoyment of that Peace which his efforts aided to bring to our country, we feel a proud consciousness that his life has been sacrificed in a noble and just cause, and that his memory will ever be cherished in association with the great and good who have also fallen.

Each year in the Maryland Senate, we pay tribute to the memory of those who have sacrificed their lives on the American battlefields. We also annually honor the political genius of President Abraham Lincoln. It is an important tradition that reminds us of the high ideals of freedom and democracy that we hold in our hands as legislative craftsmen.

Tonight, in closing, I offer Lincoln's own words from the Gettysburg Address, that apply equally to Capt. Thomas Ocker and the sacrifice of American military personnel throughout history, as we honor and remember our fallen ancestors:

. . . that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 172)

### **ADJOURNMENT**

At 8:57 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Tuesday, February 12, 2013.

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**Annapolis, Maryland**  
**Tuesday, February 12, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:09 A.M.

Prayer by Reverend Matthew Fuhrman, Prince of Peace Lutheran Church, guest of Senator Klausmeier.

(See Exhibit A of Appendix III)

The Journal of February 11, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senators Jones–Rodwell and King be excused from today’s session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 174)

**INTRODUCTION OF BILLS**

**Senate Bill 910 – Senator Gladden**

AN ACT concerning

**Religious Corporations – Laws Governing Assets of United Methodist  
Church – Repeal**

FOR the purpose of repealing certain requirements for the holding of certain assets owned by a certain Methodist Church; repealing certain provisions of law providing for the effect of the absence of a trust clause in a certain deed or other conveyance executed before a certain date; and generally relating to the assets of the United Methodist Church.

BY repealing

Article – Corporations and Associations

Section 5–326 and 5–327

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)



Read the first time and referred to the Committee on Rules.

**Senate Bill 911 – Senator Gladden**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Baltimore City – Swann Avenue Firehouse**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to alter the deadline for the Mayor and City Council of the City of Baltimore to present evidence of a certain matching fund and to encumber funds for a certain grant; altering the name of a certain grantee; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,  
Chapter 483 of the Acts of the General Assembly of 2010  
Section 1(3) Item ZA03(S)

Read the first time and referred to the Committee on Rules.

**Senate Bill 912 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Southern Middle School and Southern High School Improvements**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$200,000, the proceeds to be used as a grant to the Board of Education of Anne Arundel County for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 913 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – LAMB Community Resource Center**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$500,000, the proceeds to be used as a grant to the Board of Directors of L.A.M.B., Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

### LAID OVER BILLS

The presiding officer submitted the following Laid Over Bill with amendment:

**Senate Bill 69 – Chair, Budget and Taxation Committee (By Request – Departmental – Comptroller)**

AN ACT concerning

**Tobacco Products – Tobacco Tax – Exemptions and Penalties**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

**SB0069/379736/1**

BY: Budget and Taxation Committee

#### AMENDMENT TO SENATE BILL 69

(First Reading File Bill)

On page 2, in line 13, strike “\$50 or 1 carton” and substitute “\$100 OR 5 CARTONS”; strike beginning with the colon in line 18 down through “exchange,” in line 20; in line 21, strike “2” and substitute “5”; and strike beginning with the second “or” in line 21 down through “commissary;” in line 24.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

**SB0069/363229/2**

BY: Senator Brochin

AMENDMENTS TO SENATE BILL 69

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “establishing penalties of terms” and substitute “repealing the penalty of a certain term”; and strike beginning with “for” in line 8 down through “violations” in line 9.

AMENDMENT NO. 2

On page 3, in lines 5 and 6, strike “**SUBSECTIONS (B) AND (C)**” and substitute “SUBSECTION (B)”; in line 11, strike “**\$300**” and substitute “\$500”; and strike in their entirety lines 13 through 15, inclusive.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 6    Negative – 39    (See Roll Call No. 175)

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL  
AFFAIRS REPORT #5**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 128 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 129 – Senators Glassman and Jacobs**

EMERGENCY BILL

AN ACT concerning

**Harford County – Alcoholic Beverages – Class H–CC (Corporate Club/Conference Center) License**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 131 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County Liquor Control Board – Reserve Account**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #6**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 180 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – State Chemist Fund**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 211 – Senator Shank**

AN ACT concerning

**Natural Resources – Tree Experts – Prohibition**

Senator Middleton moved, duly seconded, to make the Bill and Report a Special Order for February 13, 2013.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 236 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Foresters – Sunset Extension and Program Evaluation**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #7**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 57 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Individual Tax Preparers – Prohibited Acts – Civil Penalty**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 77 – Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Plumbing – Continuing Professional Competency – Master Plumbers and Master Natural Gas Fitters**

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for February 13, 2013.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 140 – Senator Conway**

AN ACT concerning

**State Finance and Procurement – Retention of Percentage of Contract – Security**

**SB0140/104236/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 140

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway and Benson”; and in line 7, after “circumstances;” insert “providing for the application of this Act.”.

AMENDMENT NO. 2

On page 2, after line 13, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any construction contract awarded before the effective date of this Act.”;

in line 14, strike “2.” and substitute “3.”; and in line 15, strike “October” and substitute “July”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**Senate Bill 155 – Senator Mathias**

AN ACT concerning

**Somerset County – Sale of Small Boat Harbor Dock**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 188 – Senators Pugh, Benson, Conway, Currie, Ferguson, Forehand, Gladden, Jones–Rodwell, Kelley, McFadden, Middleton, Montgomery, Muse, and Ramirez**

AN ACT concerning

**Minority Business Enterprises – Goals and Subgoals**

**SB0188/694939/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 188

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Procurement” in line 3 down through “procurement” in line 11 and substitute “Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General, to establish guidelines for certain units of State government to consider when determining the appropriate minority business enterprise participation percentage goal for certain procurements; making certain conforming changes; and generally

relating to minority business enterprise participation percentage goals and subgoals for certain procurements”; and strike lines 17 through 21, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 14–302 and 14–303

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)”.

#### AMENDMENT NO. 2

On pages 4 and 5, strike beginning with line 25 on page 4 through line 35 on page 5, inclusive.

On page 5, after line 35, insert:

“14–302.

(a) (1) (i) Except for leases of real property, each unit shall structure procurement procedures, consistent with the purposes of this subtitle, to try to achieve an overall percentage goal of the unit’s total dollar value of procurement contracts being made directly or indirectly to certified minority business enterprises.

(ii) 1. The overall percentage goal shall be established on a biennial basis by the Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General.

2. During any year in which there is a delay in establishing the overall goal, the previous year’s goal will apply.

(iii) 1. In consultation with the Secretary of Transportation and the Attorney General, the Special Secretary of Minority Affairs shall establish guidelines on a biennial basis for each unit to consider while determining whether to set subgoals for the minority groups listed in § 14–301(j)(1)(i)1, 2, 3, 4, and 6 of this subtitle.

2. During any year in which there is a delay in establishing the subgoal guidelines, the previous year’s subgoal guidelines will apply.



(iv) 1. The Special Secretary of Minority Affairs, in consultation with the Secretary of Transportation and the Attorney General, shall establish goals and subgoal guidelines that, to the maximum extent feasible, approximate the level of minority business enterprise participation that would be expected in the absence of discrimination.

2. In establishing overall goals and subgoal guidelines, the Special Secretary of Minority Affairs shall provide for public participation by consulting with minority, women's, and general contractor groups, community organizations, and other officials or organizations that could be expected to have information concerning:

A. the availability of minority- and women-owned businesses;

B. the effects of discrimination on opportunities for minority- and women-owned businesses; and

C. the State's operation of the Minority Business Enterprise Program.

(v) In establishing overall goals, the factors to be considered shall include:

1. the relative availability of minority- and women-owned businesses to participate in State procurement as demonstrated by the State's most recent disparity study;

2. past participation of minority business enterprises in State procurement, except for procurement related to leases of real property; and

3. other factors that contribute to constitutional goal setting.

(vi) Notwithstanding § 12-101 of this article, the Special Secretary of Minority Affairs shall adopt regulations in accordance with Title 10, Subtitle 1 of the State Government Article setting forth the State's overall goal.

**(2) THE SPECIAL SECRETARY OF MINORITY AFFAIRS, IN CONSULTATION WITH THE SECRETARY OF TRANSPORTATION AND THE ATTORNEY GENERAL, SHALL ESTABLISH GUIDELINES FOR EACH UNIT TO CONSIDER WHEN DETERMINING THE APPROPRIATE MINORITY BUSINESS ENTERPRISE PARTICIPATION PERCENTAGE GOAL FOR A PROCUREMENT CONTRACT IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION.**

**[(2)] (3) Each unit shall:**

**(i) consider the practical severability of all contracts and, in accordance with § 11–201 of this article, may not bundle contracts;**

**(ii) implement a program that will enable the unit to evaluate each contract to determine the appropriate minority business enterprise participation goals, if any, for the contract based on:**

**1. the potential subcontract opportunities available in the prime procurement contract;**

**2. the availability of certified minority business enterprises to respond competitively to the potential subcontract opportunities;**

**3. THE CONTRACT GOAL GUIDELINES ESTABLISHED UNDER PARAGRAPH (2) OF THIS SUBSECTION;**

**[3.] 4. the SUBGOAL guidelines established under paragraph (1)(ii) of this subsection; and**

**[4.] 5. other factors that contribute to constitutional goal setting;**

**(iii) monitor and collect data with respect to prime contractor compliance with contract goals; and**

**(iv) institute corrective action when prime contractors do not make good-faith efforts to comply with contract goals.**

[(3)] (4) Units may not use quotas or any project goal-setting process that:

(i) solely relies on the State's overall numerical goal, or any other jurisdiction's overall numerical goal; or

(ii) fails to incorporate the analysis outlined in paragraph (2)(ii) of this subsection.

[(4)] (5) (i) A woman who is also a member of an ethnic or racial minority group may be certified in that category in addition to the gender category.

(ii) For purposes of achieving the goals in this subsection, a certified minority business enterprise may participate in a procurement contract and be counted as a woman-owned business, or as a business owned by a member of an ethnic or racial group, but not both, if the business has been certified in both categories.

[(5)] (6) Each unit shall meet the maximum feasible portion of the State's overall goal established in accordance with this subsection by using race-neutral measures to facilitate minority business enterprise participation in the procurement process.

[(6)] (7) If a unit establishes minority business enterprise participation goals for a contract, a contractor, including a contractor that is a certified minority business enterprise, shall:

(i) identify specific work categories appropriate for subcontracting;

(ii) at least 10 days before bid opening, solicit minority business enterprises, through written notice that:

1. describes the categories of work under item (i) of this paragraph; and

2. provides information regarding the type of work being solicited and specific instructions on how to submit a bid;

(iii) attempt to make personal contact with the firms in item (ii) of this paragraph;

(iv) offer to provide reasonable assistance to minority business enterprises to fulfill bonding requirements or to obtain a waiver of those requirements;

(v) in order to publicize contracting opportunities to minority business enterprises, attend prebid or preproposal meetings or other meetings scheduled by the unit; and

(vi) upon acceptance of a bid or proposal, provide the unit with a list of minority businesses with whom the contractor negotiated, including price quotes from minority and nonminority firms.

**[(7)] (8) The Special Secretary of Minority Affairs shall:**

(i) in consultation with the Secretary of Transportation and the Attorney General, establish procedures governing how the participation of minority business enterprise prime contractors is counted toward contract goals; and

(ii) notwithstanding § 12–101 of this article, adopt regulations setting forth the procedures established in accordance with this paragraph.

**[(8)] (9) (i) 1. If a contractor, including a certified minority business enterprise, does not achieve all or a part of the minority business enterprise participation goals on a contract, the unit shall make a finding of whether the contractor has demonstrated that the contractor took all necessary and reasonable steps to achieve the goals, including compliance with paragraph (6) of this subsection.**

**2. A waiver of any part of the minority business enterprise goals for a contract shall be granted if a contractor provides a reasonable demonstration of good–faith efforts to achieve the goals.**

(ii) If the unit determines that a waiver should be granted in accordance with subparagraph (i) of this paragraph, the unit may not require the contractor to renegotiate any subcontract in order to achieve a different result.

(iii) The head of the unit may waive any of the requirements of this subsection relating to the establishment, use, and waiver of contract goals for a

sole source, expedited, or emergency procurement in which the public interest cannot reasonably accommodate use of those requirements.

(iv) 1. Except for waivers granted in accordance with subparagraph (iii) of this paragraph, when a waiver determination is made, the unit shall issue the determination in writing.

2. The head of the unit shall:

A. keep one copy of the waiver determination and the reasons for the determination; and

B. forward one copy of the waiver determination to the Governor's Office of Minority Affairs.

(v) On or before July 31 of each year, each unit shall submit directly to the Board of Public Works and the Governor's Office of Minority Affairs an annual report of waivers requested and waivers granted under this paragraph.

(vi) The report required under subparagraph (v) of this paragraph shall contain the following information on those contracts where the unit considered a contractor's request for waiver of all or a portion of the minority business enterprise goals:

1. the contract titles, numbers, and dates;

2. the number of waiver requests received;

3. the number of waiver requests granted; and

4. any other information specifically requested by the Board.

**[(9)] (10)** (i) 1. This paragraph applies to a bidder or offeror after submission of a bid or proposal and before the execution of a contract with an expected degree of minority business enterprise participation.

2. If the bidder or offeror determines that a minority business enterprise identified in the minority business enterprise participation

schedule has become or will become unavailable or ineligible to perform the work required under the contract, the bidder or offeror shall notify the unit within 72 hours of making the determination.

(ii) 1. If a minority business enterprise identified in the minority business enterprise participation schedule submitted with a bid or offer has become or will become unavailable or ineligible to perform the work required under the contract, the bidder or offeror may submit a written request with the unit to amend the minority business enterprise participation schedule.

2. The request to amend the minority business enterprise participation schedule shall indicate the bidder's or offeror's efforts to substitute another certified minority business enterprise to perform the work that the unavailable or ineligible minority business enterprise would have performed.

(iii) A minority business enterprise participation schedule may not be amended unless:

1. the bidder or offeror provides a satisfactory explanation of the reason for inclusion of the unavailable or ineligible firm on the minority business enterprise participation schedule; and

2. the amendment is approved by the unit's procurement officer after consulting with the unit's minority business enterprise liaison.

~~[(10)]~~ (11) (i) This paragraph applies after execution of a contract with an expected degree of minority business enterprise participation.

(ii) The minority business enterprise participation schedule, including any amendment, shall be attached to and made a part of the executed contract.

(iii) 1. A contractor may not terminate or otherwise cancel the contract of a certified minority business enterprise subcontractor listed in the minority business enterprise participation schedule without showing good cause and obtaining the prior written consent of the minority business enterprise liaison and approval of the head of the unit.

2. The unit shall send a copy of the written consent obtained under subparagraph 1 of this subparagraph to the Governor's Office of Minority Affairs.

(iv) A minority business enterprise participation schedule may not be amended after the date of contract execution unless the request is approved by the head of the unit and the contract is amended.

[(11)] (12) If, during the performance of a contract, a certified minority business enterprise contractor or subcontractor becomes ineligible to participate in the Minority Business Enterprise Program because one or more of its owners has a personal net worth that exceeds the amount specified in § 14-301(j)(3) of this subtitle:

(i) that ineligibility alone may not cause the termination of the certified minority business enterprise's contractual relationship for the remainder of the term of the contract; and

(ii) the certified minority business enterprise's participation under the contract shall continue to be counted toward the program and contract goals.

(b) (1) The provisions of §§ 14-301(f) and 14-303 of this subtitle and subsection (a) of this section are inapplicable to the extent that any unit determines the provisions to be in conflict with any applicable federal program requirement.

(2) The determination under this subsection shall be included with the report required under § 14-305 of this subtitle.

14-303.

(a) (1) (i) In accordance with Title 10, Subtitle 1 of the State Government Article, the Board shall adopt regulations consistent with the purposes of this Division II to carry out the requirements of this subtitle.

(ii) The Board shall keep a record of information regarding any waivers requested in accordance with § [14-302(a)(8)(i)] 14-302(A)(9)(I) of this subtitle and subsection (b)(11) of this section and submit a copy of the record to the General Assembly on or before October 1 of each year, in accordance with § 2-1246 of the State Government Article.

(iii) The Board shall keep a record of the aggregate number and the identity of minority business enterprises that receive certification under the process established by the Board under subsection (b)(1) of this section and submit a copy of the record to the General Assembly on or before October 1 of each year, in accordance with § 2–1246 of the State Government Article.

(2) The regulations shall establish procedures to be followed by units, prospective contractors, and successful bidders or offerors to maximize notice to, and the opportunity to participate in the procurement process by, a broad range of minority business enterprises.

(b) These regulations shall include:

(1) provisions:

(i) designating one State agency to certify and decertify minority business enterprises for all units through a single process that meets applicable federal requirements, including provisions that promote and facilitate the submission of some or all of the certification application through an electronic process;

(ii) for the purpose of certification under this subtitle, that promote and facilitate certification of minority business enterprises that have received certification from the U.S. Small Business Administration or a county that uses a certification process substantially similar to the process established in accordance with item (i) of this item;

(iii) requiring the agency designated to certify minority business enterprises to complete the agency's review of an application for certification and notify the applicant of the agency's decision within 90 days of receipt of a complete application that includes all of the information necessary for the agency to make a decision; and

(iv) authorizing the agency designated to certify minority business enterprises to extend the notification requirement established under item (iii) of this item once, for no more than an additional 60 days, if the agency provides the applicant with a written notice and explanation;



(2) a requirement that the solicitation document accompanying each solicitation set forth the expected degree of minority business enterprise participation based, in part, on the factors set forth in § [14-302(a)(2)(ii)] 14-302(A)(3)(II) of this subtitle;

(3) a requirement that bidders or offerors complete a document setting forth the percentage of the total dollar amount of the contract that the bidder or offeror agrees will be performed by certified minority business enterprises;

(4) a requirement that the solicitation documents completed and submitted by the bidder or offeror in connection with its minority business enterprise participation commitment must be attached to and made a part of the contract;

(5) a requirement that all contracts containing minority business enterprise participation goals shall contain a liquidated damages provision that applies in the event that the contractor fails to comply in good faith with the provisions of this subtitle or the pertinent terms of the applicable contract;

(6) a requirement that the unit provide a current list of certified minority business enterprises to each prospective contractor;

(7) provisions to ensure the uniformity of requests for bids on subcontracts;

(8) provisions relating to the timing of requests for bids on subcontracts and of submission of bids on subcontracts;

(9) provisions designed to ensure that a fiscal disadvantage to the State does not result from an inadequate response by minority business enterprises to a request for bids;

(10) provisions relating to joint ventures, under which a bidder may count toward meeting its minority business enterprise participation goal, the minority business enterprise portion of the joint venture;

(11) consistent with § [14-302(a)(8)] 14-302(A)(9) of this subtitle, provisions relating to any circumstances under which a unit may waive obligations of the contractor relating to minority business enterprise participation;

(12) provisions requiring a monthly submission to the unit by minority business enterprises acknowledging all payments received in the preceding 30 days under a contract governed by this subtitle;

(13) a requirement that a unit shall verify and maintain data concerning payments received by minority business enterprises, including a requirement that, upon completion of a project, the unit shall compare the total dollar value actually received by minority business enterprises with the amount of contract dollars initially awarded, and an explanation of any discrepancies therein;

(14) a requirement that a unit verify that minority business enterprises listed in a successful bid are actually participating to the extent listed in the project for which the bid was submitted;

(15) provisions establishing a graduation program based on the financial viability of the minority business enterprise, using annual gross receipts or other economic indicators as may be determined by the Board;

(16) a requirement that a bid or proposal based on a solicitation with an expected degree of minority business enterprise participation identify the specific commitment of certified minority business enterprises at the time of submission;

(17) provisions promoting and providing for the counting and reporting of certified minority business enterprises as prime contractors;

(18) provisions establishing standards to require a minority business enterprise to perform a commercially useful function on a contract;

(19) a requirement that each unit work with the Governor's Office of Minority Affairs to designate certain procurements as being excluded from the requirements of § 14-302(a) of this subtitle; and

(20) other provisions that the Board considers necessary or appropriate to encourage participation by minority business enterprises and to protect the integrity of the procurement process.

(c) The regulations adopted under this section shall specify that a unit may not allow a business to participate as if it were a certified minority business enterprise if the business's certification is pending.”

On page 6, strike beginning with “AND” in line 1 down through “3.” in line 20.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

#### **THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #4**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

#### **Senate Bill 43 – Senator Zirkin**

AN ACT concerning

#### **Courts – Evidence – Vehicle Repair Estimates**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

#### **Senate Bill 168 – Senator Simonaire**

AN ACT concerning

#### **Estates and Trusts – Guardianship Accounts – Form and Limits**

**SB0168/668879/1**

BY: Judicial Proceedings Committee

#### AMENDMENTS TO SENATE BILL 168

(First Reading File Bill)

#### AMENDMENT NO. 1

On page 1, in lines 3 and 4, strike “in a certain proceeding” and substitute “or disabled person”; in line 4, strike “an orphans” and substitute “the”; in line 5, after “single” insert “restricted”; in the same line, after “account;” insert “requiring certain excess amounts to be deposited into additional restricted accounts not exceeding a”

certain amount; prohibiting the aggregate amount deposited in any financial institution from exceeding a certain amount;” and in line 6, strike “a certain type of account” and substitute “certain types of accounts in certain financial institutions”.

#### AMENDMENT NO. 2

On page 1, in line 17, strike “**IN A PROCEEDING BEFORE AN ORPHANS’ COURT, A**” and substitute “**(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A**”; in line 20, after “**SINGLE**” insert “**RESTRICTED**”; and after line 20, insert:

**(2) (I) IF THE AMOUNT OF CASH BELONGING TO A MINOR OR DISABLED PERSON EXCEEDS \$200,000, ANY EXCESS AMOUNT SHALL BE DEPOSITED INTO ADDITIONAL RESTRICTED ACCOUNTS.**

**(II) THE AMOUNT DEPOSITED IN AN ADDITIONAL RESTRICTED ACCOUNT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT EXCEED \$200,000.**

**(III) THE AGGREGATE AMOUNT DEPOSITED IN ANY FINANCIAL INSTITUTION MAY NOT EXCEED \$200,000.**”.

#### AMENDMENT NO. 3

On page 1, in lines 18 and 19, in each instance, after “**MINOR**” insert “**OR DISABLED PERSON**”.

#### AMENDMENT NO. 4

On page 1, in lines 22 and 23, strike “**AT A FEDERALLY INSURED FINANCIAL INSTITUTION**”; and in line 23, after “**DEPOSIT**” insert “**, IN A FINANCIAL INSTITUTION THAT:**

**(1) ACCEPTS DEPOSITS; AND**

**(2) (I) IS FEDERALLY INSURED; OR**

**(II) IS REGULATED BY THE COMMISSIONER OF FINANCIAL REGULATION**”.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 190 – Senator Shank**

AN ACT concerning

**State Government – Notary Public – Appointment**

Favorable report adopted.

FLOOR AMENDMENT

**SB0190/103128/1**

BY: Senator Simonaire

(To be offered in the Judicial Proceedings Committee)

AMENDMENT TO SENATE BILL 190

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Shank” and substitute “Senators Shank and Simonaire”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 421 – Senator Frosh**

AN ACT concerning

**Circuit Court Clerks – Salary**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 269 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Correction of Errors in Benefits**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Kittleman moved, duly seconded, to make the Bill and Report a Special Order for February 13, 2013.

The motion was adopted.

**Senate Bill 476 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Unused Sick Leave Calculation – Clarification**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Kittleman moved, duly seconded, to make the Bill and Report a Special Order for February 13, 2013.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 176)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #12**

**Senate Bill 119 – Senator Reilly**

AN ACT concerning

**Property Tax – Exemption for Blind Individuals and Surviving Spouses**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 177)

The Bill was then sent to the House of Delegates.

**Senate Bill 121 – Senator Klausmeier**

AN ACT concerning

**Health Care Decisions Act – Incapacity to Make Informed Decision –  
Certification by Psychologist**

Read the third time and passed by yeas and nays as follows:

Affirmative – 40    Negative – 5    (See Roll Call No. 178)

The Bill was then sent to the House of Delegates.

**Senate Bill 142 – Senators Pugh, Benson, Forehand, Garagiola, Glassman,  
Kelley, Mathias, McFadden, Montgomery, ~~Muse, and Ramirez~~ and Muse**

AN ACT concerning

**Public Utilities – Telephone Service – Charges for Directory Assistance**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 179)

The Bill was then sent to the House of Delegates.

**Senate Bill 356 – Senators Pugh, Benson, Conway, Currie, Forehand,  
Jones–Rodwell, King, Klausmeier, Madaleno, Ramirez, and Zirkin**

AN ACT concerning

**Ex–Offender Business Development Program Study**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45    Negative – 0    (See Roll Call No. 180)

The Bill was then sent to the House of Delegates.

### **QUORUM CALL**

The presiding officer announced a quorum call, showing 45 Members present.

(See Roll Call No. 181)

### **ADJOURNMENT**

At 11:05 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Wednesday, February 13, 2013.



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**Annapolis, Maryland**  
**Wednesday, February 13, 2013**  
**10:00 A.M. Session**

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The Senate met at 10:13 A.M.

Prayer by Father Rob Walsh, The Catholic Student Center University of Maryland, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

The Journal of February 12, 2013 was read and approved.

On motion of Senator Garagiola it was ordered that Senator King be excused from today's session.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 183)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 305 – Senator George C. Edwards:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Frostburg State University  
Jonathan C. Gibralter, Ph.D., President  
in recognition of  
the College of Distinction Award for 2012–2013 presented to Frostburg State  
University for engaged students, great teaching, a vibrant community and successful  
outcomes. Congratulations!  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 13th day of February 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 184)

**Senate Resolution No. 306 – The President and All Members:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
Maryland Library Community  
in recognition of  
the 2013 Maryland Library Day, which acknowledges the innovative services provided  
by all Maryland libraries and the broad-based community support they enjoy.  
The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 13th day of February 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 185)

**INTRODUCTION OF BILLS**

**Senate Bill 914 – Senator Klausmeier**

AN ACT concerning

**Workers' Compensation – Reimbursement for Drugs – Fee Schedule and  
Requirements**

FOR the purpose of requiring the Workers' Compensation Commission to adopt in regulation a pharmaceutical fee schedule; providing for the setting of reimbursement rates for certain drugs; requiring the Commission to select and designate in regulation a certain publication to be used for certain purposes; requiring that the Commission use the most recent issue of a certain publication for certain purposes; requiring that a certain bill submitted to an employer or its insurer for reimbursement of a certain drug contain certain information; requiring an employer or its insurer to reimburse a claimant for a certain drug under certain circumstances; and generally relating to the reimbursement for drugs under workers' compensation.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–663

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Labor and Employment

Section 9–665  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 915 – Senator Klausmeier**

AN ACT concerning

**Health Occupations – Massage Therapy – Authority to Practice**

FOR the purpose of requiring an individual to be registered by the State Board of Chiropractic and Massage Therapy Examiners before the individual may practice massage therapy in a certain setting; altering the number of hours and content of certain education an applicant for a license to practice massage therapy must complete to qualify for a license; repealing a certain provision of law that prohibits an individual who is registered to practice non–therapeutic massage from practicing in certain offices, hospitals, or facilities; altering certain definitions; repealing a certain definition; making conforming changes; and generally relating to the practice of massage therapy in the State.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 3–5A–01(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 3–5A–01(c), (i), and (j), 3–5A–04, 3–5A–06(a), and 3–5A–11 to be under  
the amended subtitle “Subtitle 5A. Licensure and Registration of  
Massage Therapists”  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Health Occupations  
Section 3–5A–01(h) and 3–5A–08  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY renumbering  
Article – Health Occupations  
Section 3–5A–09 through 3–5A–16, respectively  
to be Section 3–5A–08 through 3–5A–15, respectively  
Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 916 – Senator Klausmeier**

AN ACT concerning

**Task Force to Study Licensing and Continuing Education Requirements for Electricians**

FOR the purpose of establishing the Task Force to Study Licensing and Continuing Education Requirements for Electricians; providing for the composition, chair, and staffing of the Task Force; prohibiting a member of the Task Force from receiving certain compensation, but authorizing reimbursement of certain expenses; requiring the Task Force to study and make recommendations regarding certain matters; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to the Task Force to Study Licensing and Continuing Education Requirements for Electricians.

Read the first time and referred to the Committee on Rules.

**Senate Bill 917 – Senator Edwards**

AN ACT concerning

**Allegany County – Video Lottery Terminals – Distribution of Proceeds**

FOR the purpose of altering a certain requirement for the distribution of certain proceeds from video lottery terminals at a video lottery facility in Allegany County; and generally relating to proceeds from video lottery terminals at a video lottery facility in Allegany County.

BY repealing and reenacting, without amendments,  
Article – State Government  
Section 9–1A–27(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–1A–27(b)(2)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 918 – Senators Garagiola, Forehand, King, Madaleno, Manno, Montgomery, and Raskin**

AN ACT concerning

**Gaming – Instant Ticket Lottery Machines – Veterans’ Organizations**

FOR the purpose of removing Montgomery County from a certain list of exempted counties so as to allow certain veterans’ organizations in the county to be licensed to sell certain lottery machine tickets under certain circumstances; authorizing veterans’ organizations in Montgomery County to be licensed to operate not more than a certain number of instant ticket lottery machines; specifying the manner in which the State Lottery and Gaming Control Agency shall ensure that the element of chance in the conduct of gaming through instant ticket lottery machines is consistent with a certain court decision; and generally relating to instant ticket lottery machines.

BY repealing and reenacting, with amendments,  
Article – State Government  
Section 9–112  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 919 – Senators Garagiola, Astle, Kelley, Kittleman, Klausmeier, Mathias, and Pugh**

AN ACT concerning

**Vehicle Laws – Rental Vehicle Companies – Right of Indemnification**

FOR the purpose of establishing that a rental vehicle company or its designee has a certain right of indemnification against certain persons, including a person who rents a motor vehicle, for certain property damage, personal injury, and wrongful death claims paid by the rental vehicle company or the designee that arose out of the use or operation of the motor vehicle; and generally relating to rental vehicle companies and rights of indemnification.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 18–108(a)  
Annotated Code of Maryland  
(2012 Replacement Volume)

BY adding to

Article – Transportation  
Section 18–108(f)  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 920 – Senator Dyson**

EMERGENCY BILL

AN ACT concerning

**Chesapeake Bay – Submerged Land and Water Column Leases – Riparian Owners**

FOR the purpose of exempting certain Chesapeake Bay submerged land leases and water column leases from a certain setback requirement; authorizing a submerged land lease or a water column lease of a riparian owner or a lawful occupant of the riparian property to be located a certain minimum distance from a shallow–draft federal navigational channel; making this Act an emergency measure; and generally relating to submerged land leases and water column leases in the Chesapeake Bay.

BY repealing and reenacting, with amendments,

Article – Natural Resources  
Section 4–11A–06 and 4–11A–08  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 921 – Senators Manno, Raskin, Frosh, Garagiola, and Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Melvin J. Berman Hebrew Academy Restorations**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$100,000, the proceeds to be used as a grant to the Board of Directors of the Melvin J. Berman Hebrew Academy for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan

proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 922 – Senators Manno, Raskin, Frosh, Garagiola, and Madaleno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Silver Spring Learning  
Center Expansion**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$300,000, the proceeds to be used as a grant to the Board of Trustees of Orthodox Congregation of Silver Spring, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; prohibiting the use of the loan proceeds or matching fund for sectarian religious purposes; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 923 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Appointment of Fire Company Members as Deputy Sheriffs  
– Number**

FOR the purpose of increasing the number of members of a fire company in Harford County that a commanding officer may designate to be appointed by the sheriff as deputy sheriffs; and generally relating to deputy sheriffs in Harford County.

BY repealing and reenacting, without amendments,  
Article – Public Safety  
Section 7–303(a)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Public Safety  
Section 7–303(b)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 924 – Senator Kasemeyer**

AN ACT concerning

**Creation of a State Debt – Baltimore County – Catonsville Clubhouse  
Renovations**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$65,000, the proceeds to be used as a grant to the Board of Directors of the Catonsville Community Foundation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 925 – Senator Pinsky**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2010 – Prince George’s County  
– Community Forklift Project**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2010 to alter the deadline for a certain grantee to present evidence of a certain matching fund and to encumber funds for a certain grant; altering the grantee of a certain grant; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2010.

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by  
Chapter 639 of the Acts of the General Assembly of 2012  
Section 1(3) Item ZA02(BB) and Item ZA03(AZ)

Read the first time and referred to the Committee on Rules.

**Senate Bill 926 – Senator Pinsky**

AN ACT concerning

**Education – State and Local Aid Program for Certification or Renewal of  
Certification – Sunset Repeal**



FOR the purpose of repealing the termination date on a certain provision of law relating to the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards; and generally relating to the State and Local Aid Program for Certification by the National Board for Professional Teaching Standards.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 6–112  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Chapter 179 of the Acts of the General Assembly of 1997, as amended by  
Chapter 536 of the Acts of the General Assembly of 1999, Chapter 61 of  
the Acts of the General Assembly of 2000, Chapter 240 of the Acts of the  
General Assembly of 2004, and Chapter 309 of the Acts of the General  
Assembly of 2007  
Section 3

Read the first time and referred to the Committee on Rules.

### **Senate Bill 927 – Senator Edwards**

AN ACT concerning

#### **Allegany County – Board of Education – Ex Officio Member – Repeal**

FOR the purpose of repealing certain provisions of law that require the Chairman of the Board of Allegany County Commissioners or the designee of the Chairman to serve as an ex officio member of the Allegany County Board of Education; repealing certain provisions of law relating to the Chairman of the Board of Allegany County Commissioners' compensation or reimbursement for expenses for service on the Board of Education; making certain stylistic changes; and generally relating to the Allegany County Board of Education.

BY repealing and reenacting, with amendments,  
Article – Education  
Section 3–201(a) and (b) and 3–203  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 928 – Senator Pugh**

AN ACT concerning

**Health Insurance – Pharmacy Benefits Managers – Specialty Drugs**

FOR the purpose of requiring the State Board of Pharmacy, in consultation with the University of Maryland School of Pharmacy and taking into account certain circumstances, to specify the prescription drugs that may be considered specialty drugs by a pharmacy benefits manager; requiring the Board to publish in the Maryland Register a list of the prescription drugs that may be considered specialty drugs; requiring a pharmacy benefits manager to designate only prescription drugs that are on the list of specialty drugs published by the Board if the pharmacy benefits manager intends to designate certain prescription drugs as specialty drugs on a formulary; requiring a pharmacy benefits manager to allow any licensed pharmacy or licensed pharmacist in the State to fill a prescription for a specialty drug if the licensed pharmacy or licensed pharmacist meets certain requirements; prohibiting a pharmacy benefits manager from requiring a specialty drug to be dispensed by mail order; requiring a pharmacy benefits manager to reimburse a retail pharmacy for a specialty drug at a certain rate; defining a certain term; and generally relating to pharmacy benefits managers and specialty drugs.

BY adding to

Article – Insurance

Section 15–1632

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 929 – Senators Pugh and Muse**

AN ACT concerning

**Public Schools – Cardiopulmonary Resuscitation and Automated External Defibrillator Instruction – Graduation Requirement**

FOR the purpose of requiring a public school student to complete instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator to graduate from high school beginning with students entering a certain grade in a certain year; requiring each county board of education to provide instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator in certain schools beginning in a certain year and using a certain instructional program and incorporating certain skills; requiring, if the instruction is offered for certification, a certain individual to conduct the instruction; authorizing, if the instruction is not offered for certification, a certain individual to facilitate, provide, or oversee the instruction; requiring the State Department of Education to develop a process to monitor the implementation of certain provisions of law; authorizing the State

Superintendent of Schools, with the approval of the State Board of Education, to request that the State Comptroller withhold certain funds if a local school system fails to comply with certain requirements; requiring the Comptroller to withhold certain funds until receiving a certain notice; defining certain terms; and generally relating to instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator and high school graduation requirements in the State.

BY adding to

Article – Education

Section 7–205.1

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 930 – Senators Pugh, Conway, Ferguson, Middleton, Montgomery, Muse, Ramirez, and Young**

AN ACT concerning

**Maryland Automobile Insurance Fund – Acceptance of Premiums on Installment Payment Basis**

FOR the purpose of authorizing the Maryland Automobile Insurance Fund to accept premiums on an installment payment basis under certain circumstances; requiring the Maryland Insurance Commissioner to ensure certain provisions of an installment payment plan; prohibiting the Fund from discriminating among insureds in a certain manner; prohibiting the Fund from paying a higher commission to certain fund producers; requiring certain written and electronic communications to include a certain statement under certain circumstances; requiring the Executive Director of the Fund, in consultation with the Commissioner and certain State agencies, to develop certain criteria for evaluating the impact and effectiveness of the Fund's installment payment plan; requiring the Fund to submit a certain report each year to the Commissioner; requiring the Commissioner to make a certain determination; requiring the Commissioner to submit a certain report each year to certain committees of the General Assembly; requiring an independent insurance producer to provide a certain disclosure; providing for the application of this Act; and generally relating to accepting premiums on an installment payment basis on policies issued by the Maryland Automobile Insurance Fund.

BY repealing and reenacting, without amendments,

Article – Insurance

Section 20–101(a) and (g)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Insurance  
Section 20–507 and 23–505.2  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 931 – Senators Stone, Kelley, and Zirkin**

AN ACT concerning

**Baltimore County – Orphans’ Court Judges – Salary**

FOR the purpose of increasing the salary of the Chief Judge and each associate judge of the Orphans’ Court for Baltimore County; providing that this Act does not apply to the salary or compensation of the judges of the Orphans’ Court for Baltimore County during a certain term of office; and generally relating to the Orphans’ Court for Baltimore County.

BY repealing and reenacting, with amendments,  
Article – Estates and Trusts  
Section 2–108(e)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 932 – Senator Robey**

AN ACT concerning

**Criminal Law – Deadly Weapons on the Property of an Institution of Higher Education**

FOR the purpose of prohibiting a person from carrying a deadly weapon on the property of an institution of higher education; providing certain exceptions to the prohibition; establishing a certain penalty for a violation of this Act; establishing that a person convicted of violating this Act in a certain manner shall be sentenced under certain provisions of law; defining a certain term; and generally relating to prohibiting deadly weapons on the property of an institution of higher education.

BY adding to  
Article – Criminal Law  
Section 4–102.1

Annotated Code of Maryland  
(2012 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 933 – Senator McFadden**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2011 – Baltimore City – Mary Harvin Transformation Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2011 to alter the deadline for a certain grantee to present evidence of a certain matching fund; providing that a certain grant may not terminate before a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2011.

BY repealing and reenacting, with amendments,  
Chapter 396 of the Acts of the General Assembly of 2011  
Section 1(3) Item ZA02(R)

Read the first time and referred to the Committee on Rules.

**Senate Bill 934 – Senator DeGrange**

AN ACT concerning

**Prior Authorizations of State Debt to Fund Capital Projects – Alterations**

FOR the purpose of amending certain prior authorizations of State Debt to alter the requirement that certain grantees provide certain matching funds; extending the deadline for certain grantees to present certain evidence that a matching fund will be presented; providing that certain grants may not terminate before certain dates; changing the locations of certain capital projects; altering the purpose of certain grants; changing the names of certain grantees; making a technical correction; stating the public purpose of a certain grant; and generally relating to amending prior authorizations of State Debt.

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006  
Section 1(3) Item ZA01(N) and (CE)

BY repealing and reenacting, with amendments,  
Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter  
707 of the Acts of the General Assembly of 2009  
Section 1(3) Item ZA02(BI)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the General Assembly of 2009, and Chapter 372 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA01(CP) and Item ZA02(AZ)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007

Section 1(3) Item ZA02(AL)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA00(Y)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item ZA03(U)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA02(V) and Item ZA03(F) and (AA)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 639 of the Acts of the General Assembly of 2012

Section 1(3) Item ZA02(AX)

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item ZA02(AK) and (AL) and Item ZA03(AF) and (AG)

BY repealing

Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item ZA02(BK)

BY adding to

Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item ZA02(BK-1), (BK-2), (BK-3), (BK-4), and (BK-5)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012

Section 1(3) Item ZA00(B), (E), (F), (M), (N), (Q), (R), (W), and (X), Item ZA01(D), (F), and (G), Item ZA02(C), (D), (F), (I), (J), (K), (M), (O), (U),

(V), (Y), (Z), (AD), (AK), (AU), (AW), (BB), (BD), (BH), (BI), (BO), and (BP), and Item ZA03(A), (E), (F), (H), (J), (M), (Q), (U), (W), (Y), (AA), (AB), (AE), (AH), (AK), (AO), (AP), (AU), and (AX)

Read the first time and referred to the Committee on Rules.

**Senate Bill 935 – Senator Young**

AN ACT concerning

**Housing – Energy–Efficient and Green Homes – Construction Financing**

FOR the purpose of establishing the Energy–Efficient and Green Homes Construction Loan Program; providing for the purpose of the Program; requiring the Department of Housing and Community Development to provide loans under certain circumstances for the construction of low–energy homes meeting certain standards; requiring a person to meet certain criteria to qualify for a certain loan under this Act; requiring a recipient of loan proceeds to provide certain documentation; prohibiting certain actions in connection with the Program; providing for criminal penalties; establishing the Energy–Efficient and Green Homes Construction Fund as a special, nonlapsing fund; requiring the Department to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Governor to transfer a certain amount of money from the Revenue Stabilization Account to the Fund during a certain fiscal year; requiring the Department to adopt certain regulations; defining certain terms; and generally relating to construction financing for energy–efficient and green homes.

BY adding to

Article – Housing and Community Development  
Section 4–2001 through 4–2008 to be under the new subtitle “Subtitle 20.  
Energy–Efficient and Green Homes Construction Loan Program”  
Annotated Code of Maryland  
(2006 Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement  
Section 6–226(a)(2)(i)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement  
Section 6–226(a)(2)(ii)69. and 70.  
Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)71.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 936 – Senator Young**

AN ACT concerning

#### **SmartStat Technical Assistance and Support Center**

FOR the purpose of establishing the SmartStat Technical Assistance and Support Center in the National Center for Smart Growth Research and Education at the University of Maryland, College Park; requiring the SmartStat Technical Assistance and Support Center to collect and organize certain data, publish the collected data on a certain Web site, and assist local jurisdictions in including certain measures and indicators in certain annual reports; requiring the Governor to include in the State budget for certain years a certain appropriation to support the SmartStat Technical Assistance and Support Center; requiring the SmartStat Technical Assistance and Support Center to report annually to the Governor, the Smart Growth Subcabinet, the Maryland Sustainable Growth Commission, and the General Assembly on the performance of smart growth in the State; and generally relating to the SmartStat Technical Assistance and Support Center.

BY repealing and reenacting, with amendments,

Article – Land Use

Section 1–208

Annotated Code of Maryland

(2012 Volume)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 937 – Senator Conway**

AN ACT concerning

#### **Morgan State University – Board of Regents – Residency Requirement**

FOR the purpose of altering the residency requirement for certain members of the Board of Regents of Morgan State University; making certain stylistic changes; and generally relating to the Board of Regents of Morgan State University.



BY repealing and reenacting, with amendments,  
Article – Education  
Section 14–102  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 938 – Senator Conway**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Mattie B. Uzzle Outreach Center**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$150,000, the proceeds to be used as a grant to the Board of Directors of the Collington Square Non–Profit Corporation, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 939 – Senator Muse**

AN ACT concerning

**Juvenile Services – Group Homes and Institutions – Notice**

FOR the purpose of requiring the Department of Juvenile Services to provide a certain notice to a certain law enforcement agency before contracting with a certain group home or institution for the placement of certain children; and generally relating to group homes and institutions for juveniles.

BY repealing and reenacting, with amendments,  
Article – Human Services  
Section 9–231  
Annotated Code of Maryland  
(2007 Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 940 – Senators Klausmeier and Getty**

AN ACT concerning

**Baltimore County and Carroll County – Authority to Place Boundary  
Monuments**

FOR the purpose of authorizing the governing bodies of Baltimore County and Carroll County to provide for the setting of boundary monuments to mark the boundary line between the two counties in a certain manner; and generally relating to the setting of boundary monuments between Baltimore County and Carroll County.

BY adding to

Article – Local Government

Section 9–114

Annotated Code of Maryland

(As enacted by Chapter \_\_\_(H.B.\_\_\_\_)(3lr0446) of the Acts of the General Assembly of 2013)

Read the first time and referred to the Committee on Rules.

**Senate Bill 941 – Senators Mathias and Colburn**

AN ACT concerning

**Creation of a State Debt – Wicomico County – YMCA of the Chesapeake**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Board of Directors of YMCA of the Chesapeake, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #5**

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 161 – Senator Kelley**

AN ACT concerning

**Real Property – Common Ownership Communities – Foreclosure of Liens**

**SB0161/428775/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 161

(First Reading File Bill)

On page 2, in lines 23 and 29, in each instance, strike “MONTHLY” and substitute “PERIODIC”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 162 – Senators Kelley and Miller**

AN ACT concerning

**Condominiums and Homeowners Associations – Transition of Control –  
Termination of Contracts****SB0162/218578/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 162

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 6 and 7, in each instance, after “after” insert “a meeting at which a certain majority of”; and in line 12, after “body;” insert “altering a certain definition;”.

AMENDMENT NO. 2

On page 2, in lines 5 and 20, in each instance, after “utility” insert “, TELECOMMUNICATIONS, INTERNET, CABLE, OR OTHER VIDEO”; and in lines 5 and 20, in each instance, after “services” insert a comma.

AMENDMENT NO. 3

On page 2, strike beginning with “all” in line 6 down through “paragraph” in line 8 and substitute “A MEETING AT WHICH THE UNIT OWNERS ELECT A MAJORITY OF THE BOARD OF DIRECTORS COMPOSED OF MEMBERS UNAFFILIATED WITH THE DEVELOPER”; and strike beginning with “all” in line 21 down through “section” in line 23 and substitute “A MEETING AT WHICH THE LOT OWNERS ELECT A MAJORITY OF THE GOVERNING BODY COMPOSED OF MEMBERS UNAFFILIATED WITH THE DECLARANT”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 167 – Senator Kelley**

AN ACT concerning

**Residential Condominiums – Governing Documents – Claims Provisions**

**SB0167/948379/1**

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 167

(First Reading File Bill)

On page 2, in lines 9 and 12, in each instance, after “ANY” insert “ENFORCEABLE”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**Senate Bill 197 – Senator Frosh**

AN ACT concerning

**Maryland Condominium Act – Closed Meetings of Board of Directors**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

Senate Rule 116. Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

- (1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and
- (2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

Senate Rule 116 was read only.

Senator Kittleman moved, duly seconded, to make the **Senate Rule 116** a Special Order for February 14, 2013.

The motion was adopted.

**Senate Bill 211 – Senator Shank**

AN ACT concerning

**Natural Resources – Tree Experts – Prohibition**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Bill 77 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board of Plumbing – Continuing Professional Competency – Master  
Plumbers and Master Natural Gas Fitters**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE  
REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**Senate Bill 269 – Senator Jones–Rodwell (Chair, Joint Committee on  
Pensions)**

AN ACT concerning

**State Retirement and Pension System – Correction of Errors in Benefits**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE  
REPORT.

Favorable report adopted.

FLOOR AMENDMENT

**SB0269/273626/1**

BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 269

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Benefits” insert “and Expanding Participation in  
Optional Retirement Program”; in line 6, after “receive;” insert “providing that only  
certain individuals serving as Governor are eligible for a certain defined benefit  
retirement allowance; providing that, on or after a certain date, certain individuals are  
not eligible to join the Employees’ Pension System, the Teachers’ Pension System, the  
State Police Retirement System, the Correctional Officers’ Retirement System, the”

Law Enforcement Officers' Pension System, or the Judges' Retirement System; requiring that, on or after a certain date, certain individuals are required to join the optional retirement program as a condition of employment; providing that certain supervising employers are not responsible for the payment of certain benefits payable under the optional retirement program; requiring certain supervising employers to administer certain aspects of the participation of certain employees participating in the optional retirement program; providing that certain employees are eligible to participate in the optional retirement program; requiring that certain employees who elect to participate in the optional retirement program make such an election within a certain period of time and in a certain manner; requiring certain participating governmental units that elect to participate in the State Retirement and Pension System on or after a certain date to participate in the optional retirement program; requiring certain participating governmental units that elect to participate in the optional retirement program to make the election in a certain manner; providing for the effective date of participation for certain participating governmental units that elect to participate in the optional retirement program; prohibiting a participating governmental unit from transferring certain service credit of certain employees of the participating governmental unit to the optional retirement program; defining certain terms;"; in line 7, after "System" insert "and the prohibition on system membership for certain new hires and providing State employees and employees of participating governmental units with a defined contribution retirement benefit"; in line 10, after "21-113(a)" insert ", 22-405, 23-203, 23-204(c) and (d), 23-208, 24-202, 24-203, 25-202, 26-202(a), 30-101, 30-201, 30-202, 30-207, 30-210, 30-301, 30-302, 30-303, 30-305, 30-307(e), 31-101(c) and (d), 31-102, 31-109, 31-113, 31-2A-01(b) and (c), 31-2A-02, 31-2A-03, 31-2A-05, 31-2B-01(b) and (c), 31-2B-02, 31-2B-03, and 31-2B-05"; and after line 12, insert:

"BY adding to

Article – State Personnel and Pensions

Section 27-201.1, 31-109.2, 31-109.3, 31-111.7, 31-112.1, 31-2A-03.2, 31-2A-03.3, 31-2A-04.1, 31-2B-03.2, and 31-2B-04.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 31-101(a), 31-2A-01(a), and 31-2B-01(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)".

AMENDMENT NO. 2

On page 2, after line 3, insert:

“22–405.

(a) (1) THIS SECTION APPLIES ONLY TO AN INDIVIDUAL WHO SERVED AS GOVERNOR ON OR BEFORE JANUARY 20, 2015.

(2) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO SERVES AS GOVERNOR ON OR AFTER JANUARY 21, 2015.

(B) Subject to subsection [(d)] (E) of this section, if a Governor serves for at least:

(1) one full term, the Governor is entitled to receive a retirement allowance equal to one–third of the annual salary received by the current Governor in office; or

(2) two full terms, the Governor is entitled to receive a retirement allowance equal to one–half of the annual salary received by the current Governor in office.

[(b)] (C) The Board of Trustees shall suspend a retirement allowance received under this section during any period when the former Governor is employed by a unit of State government.

[(c)] (D) Except as provided in subsection [(d)] (E) of this section, a Governor may not receive a retirement allowance under this subsection until the Governor is at least 55 years old.

[(d)] (E) (1) A Governor who leaves office because of physical or mental disability, under Article II, Section 6(c) of the Maryland Constitution, shall immediately receive a disability retirement allowance equal to the amount the Governor would have received had the Governor completed the current term and become 55 years old.



(2) If the physical or mental disability ends before the former Governor becomes 55 years old, the Board of Trustees shall stop the disability retirement allowance, but the former Governor shall receive the normal retirement allowance at age 55 if otherwise qualified.

[(e)] (F) On the death of a former Governor, the surviving spouse of the former Governor shall receive an allowance that is equal to one-half of the former Governor's retirement allowance.

[(f)] (G) On the death of a Governor while in office, the deceased Governor's surviving spouse shall receive one-half of the retirement allowance that the deceased Governor would have been entitled to receive had the deceased Governor completed the current term and become 55 years old.

23-203.

(A) Except as provided in § 23-204 of this subtitle, an individual described in § 23-201(a) of this subtitle who becomes an employee of a participating employer on or after January 1, 1980, AND ON OR BEFORE JUNE 30, 2013, or who transfers membership from the Employees' Retirement System ON OR BEFORE JUNE 30, 2013, is a member of the Employees' Pension System as a condition of employment.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL WHO IS NOT A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE EMPLOYEES' PENSION SYSTEM.

(2) AN INDIVIDUAL IS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM IF THE INDIVIDUAL COMMENCES EMPLOYMENT ON OR AFTER JULY 1, 2013, FOR A PARTICIPATING GOVERNMENTAL UNIT THAT ELECTED TO JOIN THE EMPLOYEES' PENSION SYSTEM ON OR BEFORE JUNE 30, 2013.

23-204.

(c) (1) Subject to paragraph (2) of this subsection, membership in the Employees' Pension System is optional for an individual described in § 23-201(a)(2)(iv) of this subtitle who is elected or appointed as the Baltimore City Sheriff ON OR BEFORE JUNE 30, 2013.

(2) An individual who is elected or appointed as the Baltimore City Sheriff ON OR BEFORE JUNE 30, 2013, and who does not elect to join the Employees' Pension System is a member of the [Law Enforcement Officers' Pension System] OPTIONAL RETIREMENT PROGRAM under Title [26] 30 of this article as a condition of employment.

(3) To elect to be a member of the Employees' Pension System under this subsection, an individual shall file a written application with the State Retirement Agency.

(4) An individual who does not elect membership within 6 months of the date the individual begins serving as the Baltimore City Sheriff shall become a member of the [Law Enforcement Officers' Pension System] OPTIONAL RETIREMENT PROGRAM.

(d) (1) This subsection applies to an individual described in § 23–201(a)(2)(iv) of this subtitle who elects membership in the Employees' Pension System under this section.

(2) An individual described in paragraph (1) of this subsection may elect membership in the Law Enforcement Officers' Pension System if the county employing the individual elects to become an eligible governmental unit in the Law Enforcement Officers' Pension System ON OR BEFORE JUNE 30, 2013, AND in accordance with §§ 31–2A–02 through 31–2A–05 of this article.

(3) If an individual transfers to the Law Enforcement Officers' Pension System under this subsection, the eligible governmental unit is responsible for all employer contributions required for the individual under § 21–306.1 of this article.

23–208.

(A) Except as provided in § 23–209 of this subtitle, an individual described in § 23–206(a) of this subtitle who becomes employed by a participating employer on or after January 1, 1980, AND ON OR BEFORE JUNE 30, 2013, or who transfers membership from the Teachers' Retirement System ON OR BEFORE JUNE 30, 2013, is a member of the Teachers' Pension System as a condition of employment.

**(B) AN INDIVIDUAL WHO IS NOT A MEMBER OF THE TEACHERS' PENSION SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE TEACHERS' PENSION SYSTEM.**

24-202.

**(A) Except as provided in § 24-203 of this subtitle, an individual described in § 24-201 of this subtitle WHO BECOMES A POLICE EMPLOYEE OR A MARYLAND STATE POLICE CADET ON OR BEFORE JUNE 30, 2013, is a member of the State Police Retirement System as a condition of employment.**

**(B) AN INDIVIDUAL WHO IS NOT A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE STATE POLICE RETIREMENT SYSTEM.**

24-203.

**The Secretary of State Police may waive membership in the State Police Retirement System and elect to become a member of the [Employees' Pension System] OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE.**

25-202.

**(a) (1) Except as provided in subsection (b) of this section, an individual described in § 25-201(a) of this subtitle is a member of the Correctional Officers' Retirement System as a condition of employment IF THE INDIVIDUAL BEGAN EMPLOYMENT IN A POSITION DESCRIBED IN § 25-201(A) OF THIS SUBTITLE ON OR BEFORE JUNE 30, 2013.**

**(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN INDIVIDUAL WHO IS NOT A MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM.**

**(II) AN INDIVIDUAL IS A MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM IF THE INDIVIDUAL COMMENCES EMPLOYMENT ON OR AFTER JULY 1, 2013, FOR A PARTICIPATING**

**GOVERNMENTAL UNIT THAT ELECTED TO JOIN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2013.**

(b) (1) Subject to paragraph (2) of this subsection, membership in the Correctional Officers' Retirement System is optional for an individual described in § 25–201 of this subtitle who was employed by a participating governmental unit as a local detention center officer on the effective date of participation on or after July 1, 2006, for that participating governmental unit and who elects membership within 6 months of the effective date of participation.

(2) To elect to be a member of the Correctional Officers' Retirement System, an individual shall file a written application with the State Retirement Agency.

(3) If an individual does not elect membership during the applicable period specified under paragraph (1) of this subsection, the individual may not become a member of the Correctional Officers' Retirement System.

26–202.

(a) (1) Except as provided in subsection (b) of this section, an individual described in § 26–201 of this subtitle is a member of the Law Enforcement Officers' Pension System as a condition of employment IF THE INDIVIDUAL BEGAN EMPLOYMENT IN A POSITION DESCRIBED IN § 26–201 OF THIS SUBTITLE ON OR BEFORE JUNE 30, 2013.

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN INDIVIDUAL WHO IS NOT A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM.

(II) AN INDIVIDUAL IS A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM IF THE INDIVIDUAL COMMENCES EMPLOYMENT ON OR AFTER JULY 1, 2013, FOR A PARTICIPATING GOVERNMENTAL UNIT THAT ELECTED TO JOIN THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM ON OR BEFORE JUNE 30, 2013.

27-201.1.

AN INDIVIDUAL WHO IS NOT A MEMBER OF THE JUDGES' RETIREMENT SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE JUDGES' RETIREMENT SYSTEM.

30-101.

(a) In this title the following words have the meanings indicated.

(b) (1) "Annuity contract" means a fixed or variable annuity contract or combination of fixed or variable annuity contracts authorized under § 403(a) or (b) of the Internal Revenue Code.

(2) "Annuity contract" includes a custodial account to be invested in regulated investment company stock as provided in § 401(f) or § 403(b)(7) of the Internal Revenue Code.

(c) "Designated company" means an entity that:

(1) on or before March 1, 1993, was designated by the governing board of an employing institution to offer annuity contracts under the program; or

(2) is designated by the Board of Trustees.

(d) "Eligible employee" means an individual eligible to participate in the program.

(e) "Employing institution" means:

(1) the University System of Maryland;

(2) Morgan State University;

(3) St. Mary's College;

(4) the Maryland Higher Education Commission with respect to eligible employees of the Commission; and

(5) any community college or regional community college established under Title 16 of the Education Article.

(f) “Participating employee” means an eligible employee who elects to participate in the program.

(g) “Pension system” means the Employees’ Pension System or the Teachers’ Pension System.

(h) “Program” means the optional retirement program established under § 30–201 of this title.

(i) “Retirement system” means the Employees’ Retirement System or the Teachers’ Retirement System.

**(J) “SUPERVISING EMPLOYER” MEANS:**

**(1) ANY UNIT OF STATE GOVERNMENT;**

**(2) A COUNTY BOARD OF EDUCATION OR THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS;**

**(3) A LIBRARY THAT IS ESTABLISHED UNDER THE EDUCATION ARTICLE;**

**(4) AN EMPLOYING INSTITUTION;**

**(5) A PARTICIPATING GOVERNMENTAL UNIT THAT IS ELIGIBLE TO PARTICIPATE UNDER TITLE 31, SUBTITLE 1 OF THIS ARTICLE AND ELECTS TO JOIN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013;**

**(6) THE OFFICE OF THE SHERIFF OF BALTIMORE CITY;**

**(7) A BOARD OF SUPERVISORS OF ELECTIONS OF A COUNTY;**

**(8) THE STATE RACING COMMISSION AUTHORIZED BY § 11–207 OF THE BUSINESS REGULATION ARTICLE;**

- (9) A CIRCUIT COURT FOR ANY COUNTY;
- (10) THE MARYLAND ENVIRONMENTAL SERVICE;
- (11) THE BALTIMORE CITY DETENTION CENTER;
- (12) THE CLIFTON T. PERKINS HOSPITAL CENTER;
- (13) THE FIELD ENFORCEMENT BUREAU;
- (14) THE UNIVERSITY OF MARYLAND POLICE FORCE;
- (15) THE MORGAN STATE UNIVERSITY POLICE FORCE;
- (16) THE BWI AIRPORT FIRE & RESCUE DEPARTMENT;
- (17) THE MILITARY DEPARTMENT; OR
- (18) THE SALISBURY FIRE DEPARTMENT.

[(j)] (K) “Supplemental retirement plans” means plans established pursuant to § 30–401 of this title.

30–201.

(a) There is an optional retirement program in which eligible employees may participate.

(b) Under the program, annuity contracts offered by a designated company that provide retirement and death benefits may be purchased for participating employees.

(c) (1) The Board of Trustees shall administer the program to the extent provided in this title.

(2) The State Retirement Agency shall carry out the administrative duties of the Board of Trustees.

(d) The program shall be offered by each [employing institution] SUPERVISING EMPLOYER.

30-202.

(a) The Board of Trustees may designate not more than four companies, in addition to the company that was designated by a governing board of an employing institution on or before March 1, 1993, from which annuity contracts are to be purchased under the program.

(b) (1) The Board of Trustees shall approve the form and contents of annuity contracts to be offered by a company that is designated by the Board of Trustees under subsection (a) of this section.

(2) The Board of Trustees may also approve the form and contents of additional types of annuity contracts to be offered for the first time after October 1, 1993, by the company designated by the governing board of an employing institution on or before March 1, 1993.

(c) In making the designation and giving approval under this section, the Board of Trustees shall consider:

(1) the nature and extent of the rights and benefits to be provided by the annuity contracts for participating employees and their beneficiaries;

(2) the relation of those rights and benefits to the amount of contributions to be made;

(3) the suitability of the rights and benefits to the needs of the participating employees and the interests of the [employing institutions] SUPERVISING EMPLOYERS in the recruitment and retention of participating employees;

(4) the ability of the company to provide for suitable rights and benefits under the annuity contracts;



(5) the selection of annuity contracts offered by the company;

(6) the financial stability of the company and whether the company meets minimum financial criteria, if any, including a minimum net worth requirement, if any, established by the Board of Trustees; and

(7) the effect of any fees, commissions, or other charges imposed or collected in connection with an annuity contract.

30-207.

Benefits under the program:

(1) shall be payable to participating employees or their beneficiaries in accordance with the terms of the annuity contracts; and

(2) are not payable by [the State or governing board of an employing institution] **A SUPERVISING EMPLOYER.**

30-210.

With respect to a participating employee who is employed by [an employing institution or an institution over which the employing institution has administrative authority, the employing institution] **A SUPERVISING EMPLOYER, THE SUPERVISING EMPLOYER** shall administer the participating employee's enrollment, termination, or retirement under the program.

30-301.

(a) An individual is [eligible to participate in the program if the individual is eligible for membership in a retirement system or a pension system and] **AN ELIGIBLE EMPLOYEE IF THE INDIVIDUAL** is:

(1) a member of the faculty of an employing institution;

(2) a professional employee at a community college or regional community college established under Title 16 of the Education Article;

(3) an employee of the University System of Maryland who is in a position designated as exempt under a policy adopted by the University System of Maryland Board of Regents;

(4) an employee of Morgan State University who is in a position designated as professional or administrative by the Board of Regents of Morgan State University;

(5) an employee of St. Mary's College of Maryland who is in a position determined by the Board of Trustees of the College to be a professional or faculty position; [or]

(6) an employee of the Maryland Higher Education Commission who is in a position determined by the Secretary of Higher Education to be a professional position;

**(7) SERVING AS GOVERNOR ON OR AFTER JANUARY 21, 2015;**

**(8) A REGULAR EMPLOYEE WHOSE COMPENSATION IS PROVIDED BY STATE APPROPRIATION OR PAID FROM STATE FUNDS;**

**(9) AN APPOINTED OR ELECTED OFFICIAL OF THE STATE, INCLUDING:**

**(I) A CLERK OF THE CIRCUIT COURT;**

**(II) A REGISTER OF WILLS;**

**(III) A STATE'S ATTORNEY; AND**

**(IV) A SHERIFF;**

**(10) AN EMPLOYEE OF A DAY SCHOOL IN THE STATE UNDER THE AUTHORITY AND SUPERVISION OF A COUNTY BOARD OF EDUCATION OR THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS EMPLOYED AS:**

**(I) A CLERK;**

(II) A HELPING TEACHER;

(III) A PRINCIPAL;

(IV) A SUPERINTENDENT;

(V) A SUPERVISOR; OR

(VI) A TEACHER;

(11) A LIBRARIAN OR CLERICAL EMPLOYEE OF A LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE;

(12) A STAFF EMPLOYEE OF THE UNIVERSITY SYSTEM OF MARYLAND, MORGAN STATE UNIVERSITY, OR ST. MARY'S COLLEGE OF MARYLAND WHO IS A MEMBER OF THE TEACHERS' PENSION SYSTEM AS OF JANUARY 1, 1998, OR WHO TRANSFERRED FROM THE TEACHERS' RETIREMENT SYSTEM ON OR AFTER JANUARY 1, 1998;

(13) AN EMPLOYEE OR OFFICIAL OF A PARTICIPATING GOVERNMENTAL UNIT THAT, ON OR AFTER JULY 1, 2013, HAS ELECTED TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM;

(14) AN EMPLOYEE OF THE OFFICE OF THE SHERIFF OF BALTIMORE CITY;

(15) AN EMPLOYEE OR AGENT OF THE STATE RACING COMMISSION AUTHORIZED BY § 11-207 OF THE BUSINESS REGULATION ARTICLE;

(16) A PERMANENT EMPLOYEE OF THE BOARD OF SUPERVISORS OF ELECTIONS OF A COUNTY;

(17) A FULL-TIME MASTER IN CHANCERY OR IN JUVENILE CAUSES WHO WAS APPOINTED ON OR AFTER JULY 1, 1989, IN ANY COUNTY BY THE CIRCUIT COURT FOR THAT COUNTY;

(18) A NONFACULTY EMPLOYEE OF THE BALTIMORE CITY COMMUNITY COLLEGE;

(19) A STAFF EMPLOYEE OF THE UNIVERSITY SYSTEM OF MARYLAND, MORGAN STATE UNIVERSITY, OR ST. MARY'S COLLEGE OF MARYLAND;

(20) A POLICE EMPLOYEE AS DEFINED IN § 2-101 OF THE PUBLIC SAFETY ARTICLE;

(21) A MARYLAND STATE POLICE CADET;

(22) A CORRECTIONAL OFFICER SERVING IN ANY OF THE FIRST SIX JOB CLASSIFICATIONS;

(23) A SECURITY ATTENDANT AT THE CLIFTON T. PERKINS HOSPITAL CENTER;

(24) A DETENTION CENTER OFFICER EMPLOYED BY A PARTICIPATING GOVERNMENTAL UNIT THAT, ON OR AFTER JULY 1, 2013, HAS ELECTED TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM;

(25) A CORRECTIONAL DIETARY, MAINTENANCE, LAUNDRY, OR SUPPLY OFFICER;

(26) A MARYLAND CORRECTIONAL ENTERPRISES OFFICER, OFFICER TRAINEE, PLANT SUPERVISOR, PLANT MANAGER, OR REGIONAL MANAGER;

(27) AN EMPLOYEE OF THE DEPARTMENT OF NATURAL RESOURCES COMMISSIONED BY THE SECRETARY OF NATURAL RESOURCES AS:

(I) A NATURAL RESOURCES POLICE OFFICER; OR

(II) A LAW ENFORCEMENT OFFICER OTHER THAN A NATURAL RESOURCES POLICE OFFICER;

(28) A LAW ENFORCEMENT OFFICER EMPLOYED BY THE FIELD ENFORCEMENT BUREAU;

(29) A MEMBER OF THE MARYLAND TRANSPORTATION AUTHORITY POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 4-208 OF THE TRANSPORTATION ARTICLE;

(30) A DEPUTY SHERIFF EMPLOYED BY THE BALTIMORE CITY SHERIFF'S DEPARTMENT;

(31) A MEMBER OF THE UNIVERSITY OF MARYLAND POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 13-601 OF THE EDUCATION ARTICLE;

(32) A LAW ENFORCEMENT OFFICER OR FIREFIGHTER EMPLOYED BY A PARTICIPATING GOVERNMENTAL UNIT THAT, ON OR AFTER JULY 1, 2013, HAS ELECTED TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM;

(33) THE STATE FIRE MARSHAL OR A DEPUTY STATE FIRE MARSHAL;

(34) A MEMBER OF THE MORGAN STATE UNIVERSITY POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 14-106 OF THE EDUCATION ARTICLE;

(35) A MEMBER OF THE BWI AIRPORT FIRE & RESCUE DEPARTMENT;

(36) A MEMBER OF THE DEPARTMENT OF GENERAL SERVICES POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 4-605 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;

(37) AN EMPLOYEE OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE COMMISSIONED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE AS A HEALTH AND MENTAL HYGIENE POLICE OFFICER;

(38) AN EMPLOYEE OF THE MOTOR VEHICLE ADMINISTRATION COMMISSIONED BY THE SECRETARY OF TRANSPORTATION AS A MOTOR VEHICLE ADMINISTRATION POLICE OFFICER;

(39) AN EMPLOYEE OF THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION COMMISSIONED BY THE SECRETARY OF LABOR, LICENSING, AND REGULATION AS A LABOR, LICENSING, AND REGULATION POLICE OFFICER;

(40) A FIREFIGHTER OR LAW ENFORCEMENT OFFICER FOR THE MARTIN STATE AIRPORT EMPLOYED BY THE MILITARY DEPARTMENT;

(41) A POLICE OFFICER EMPLOYED BY THE DIVISION OF REHABILITATION SERVICES IN THE DEPARTMENT OF EDUCATION, CERTIFIED IN ACCORDANCE WITH THE MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSION;

(42) A FIREFIGHTER OR PARAMEDIC EMPLOYED BY THE SALISBURY FIRE DEPARTMENT WHO IS ELIGIBLE TO BE A MEMBER OF A PARTICIPATING GOVERNMENTAL UNIT, AS PROVIDED IN TITLE 31, SUBTITLE 2A OF THIS ARTICLE;

(43) AN AVIATOR EMPLOYED BY THE DEPARTMENT OF STATE POLICE TO OPERATE AN AIRCRAFT FOR THE STATE EMERGENCY MEDICAL SYSTEM;

(44) A MEMBER OF THE MARYLAND TRANSIT ADMINISTRATION POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 7-207 OF THE TRANSPORTATION ARTICLE;

(45) A MEMBER OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES INTERNAL INVESTIGATIVE UNIT WHO HAS THE

POWERS GRANTED TO A POLICE OFFICER UNDER § 10-701 OF THE CORRECTIONAL SERVICES ARTICLE;

(46) A POLICE OFFICER EMPLOYED BY THE BALTIMORE CITY COMMUNITY COLLEGE WHO HAS THE POWER GRANTED TO A POLICE OFFICER UNDER § 16-513 OF THE EDUCATION ARTICLE;

(47) A JUDGE OF THE COURT OF APPEALS, THE COURT OF SPECIAL APPEALS, A CIRCUIT COURT OF A COUNTY, OR THE DISTRICT COURT OF MARYLAND; OR

(48) A MEMBER OF THE STATE WORKERS' COMPENSATION COMMISSION.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO BECOMES AN EMPLOYEE OF A SUPERVISING EMPLOYER ON OR AFTER JULY 1, 2013, IS A MEMBER OF THE OPTIONAL RETIREMENT PROGRAM AS A CONDITION OF EMPLOYMENT.

(2) (1) MEMBERSHIP IN THE OPTIONAL RETIREMENT PROGRAM IS OPTIONAL FOR:

1. A MEMBER OF THE FACULTY OF AN EMPLOYING INSTITUTION ON JUNE 30, 2013;

2. A PROFESSIONAL EMPLOYEE AT A COMMUNITY COLLEGE OR REGIONAL COMMUNITY COLLEGE, ESTABLISHED UNDER TITLE 16 OF THE EDUCATION ARTICLE, ON JUNE 30, 2013;

3. AN EMPLOYEE OF THE UNIVERSITY SYSTEM OF MARYLAND WHO IS IN A POSITION DESIGNATED AS EXEMPT UNDER A POLICY ADOPTED BY THE UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS ON JUNE 30, 2013;

4. AN EMPLOYEE OF MORGAN STATE UNIVERSITY WHO IS IN A POSITION DESIGNATED AS PROFESSIONAL OR ADMINISTRATIVE BY THE BOARD OF REGENTS OF MORGAN STATE UNIVERSITY ON JUNE 30, 2013;

5. AN EMPLOYEE OF ST. MARY'S COLLEGE OF MARYLAND WHO IS IN A POSITION DETERMINED BY THE BOARD OF TRUSTEES OF THE COLLEGE TO BE A PROFESSIONAL OR FACULTY POSITION ON JUNE 30, 2013; OR

6. AN EMPLOYEE OF THE MARYLAND HIGHER EDUCATION COMMISSION WHO IS IN A POSITION DETERMINED BY THE SECRETARY OF HIGHER EDUCATION TO BE A PROFESSIONAL POSITION ON JUNE 30, 2013.

(II) AN INDIVIDUAL DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO §§ 30-302 THROUGH 30-306 OF THIS SUBTITLE.

[(b)] (C) (1) This subsection applies to an individual who:

(i) on August 22, 2004, was eligible to participate in the program; and

(ii) is in a position that, as of August 23, 2004, was reclassified by the University System of Maryland Board of Regents or the Board of Regents of Morgan State University and would no longer be eligible for participation in the program under subsection (a) of this section.

(2) An individual described under paragraph (1) of this subsection may continue to participate in the program if the individual:

(i) would otherwise be eligible for membership in a system under the State Retirement and Pension System; and

(ii) is employed by an employing institution.



(a) An election to participate in the program shall be made by an eligible employee within 1 year of first becoming an eligible employee of [an employing institution] A SUPERVISING EMPLOYER.

(b) An eligible employee's election to participate in the program is a one-time irrevocable election.

30-303.

(a) An eligible employee shall elect to:

(1) join a pension or retirement system in accordance with the provisions of this Division II applicable to that system; or

(2) participate in the program.

(b) An eligible employee shall:

(1) make an election under this section in writing; and

(2) file the election with the Board of Trustees and the [employing institution] SUPERVISING EMPLOYER within 1 year of first becoming an eligible employee of [an employing institution] A SUPERVISING EMPLOYER.

(c) An eligible employee may not participate in the program if both the Board of Trustees and the [employing institution] SUPERVISING EMPLOYER have not received the eligible employee's written election required under subsection (b) of this section, within 1 year of first becoming an eligible employee with [an employing institution] A SUPERVISING EMPLOYER.

(d) The effective date of the election shall be the first day of the month after the election.

30-305.

(a) This section applies only to a State employee who becomes eligible to elect participation in the program if the employee is appointed, promoted, transferred, or reclassified to a position as an eligible employee.

(b) A State employee described in subsection (a) of this section may elect to participate in the program.

(c) An eligible employee shall:

(1) make an election under this section in writing; and

(2) file the election with the Board of Trustees and the [employing institution] SUPERVISING EMPLOYER within 1 year of first becoming an eligible employee of [an employing institution] A SUPERVISING EMPLOYER.

(d) An eligible employee may not participate in the program if both the Board of Trustees and the [employing institution] SUPERVISING EMPLOYER have not received the eligible employee's written election required under subsection (c) of this section, within 1 year of first becoming an eligible employee with [an employing institution] A SUPERVISING EMPLOYER.

30–307.

(e) A participating employee is ineligible for membership in a retirement system or pension system while the participating employee is employed in any eligible position by any [employing institution] SUPERVISING EMPLOYER.

31–101.

(a) In this subtitle the following words have the meanings indicated.

(c) “Effective date” means the date that an eligible governmental unit commenced or commences participation in an employees’ system OR THE OPTIONAL RETIREMENT PROGRAM.

(d) “Eligible governmental unit” means:

(1) a governmental unit that is eligible to participate in the employees’ systems under § 31–102 of this subtitle ON OR BEFORE JUNE 30, 2013; OR

(2) A GOVERNMENTAL UNIT THAT IS ELIGIBLE TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013.

31-102.

Subject to § 22-202(b) of this article, the governmental units that are eligible to participate in the employees' systems OR THE OPTIONAL RETIREMENT PROGRAM are:

- (1) a political subdivision of the State, including:
  - (i) a county;
  - (ii) a municipal corporation; and
  - (iii) a special taxing area; and
- (2) the following governmental units:
  - (i) an agency on aging, as designated by the legislative body of the agency on aging;
  - (ii) the Allegany County Transit Authority;
  - (iii) subject to § 31-104 of this subtitle, the Baltimore Metropolitan Council;
  - (iv) a board or commission created by an Act of the General Assembly for public purpose and not for the profit of a private person;
  - (v) subject to § 31-105 of this subtitle, the Canal Place Preservation and Development Authority;
  - (vi) the Chesapeake Bay Commission;
  - (vii) a cooperative library commission;
  - (viii) subject to § 31-103 of this subtitle, a community action agency, as designated by the legislative body of the community action agency;

(ix) a fire department that receives any of its funds from or through a county, municipal corporation, special taxing area, or other political subdivision of the State;

(x) the Health Planning Council of Appalachia;

(xi) the Howard County Economic Development Authority;

(xii) the Interstate Commission on the Potomac River Basin;

(xiii) the Lower Shore Private Industry Council, Inc.;

(xiv) the Maryland Environmental Service;

(xv) subject to § 31–106 of this subtitle, the Maryland Stadium Authority;

(xvi) a public library association or organization;

(xvii) subject to § 31–106.2 of this subtitle, the St. Mary’s Nursing Center, Inc.;

(xviii) the Tri–County Council for Western Maryland, Inc.;

(xix) the Tri–County Council for Southern Maryland;

(xx) subject to § 31–107 of this subtitle, the University of Maryland Medical System Corporation;

(xxi) the Upper Potomac River Commission;

(xxii) subject to § 31–106.1 of this subtitle, the Maryland African American Museum Corporation; and

(xxiii) the Garrett County Office for Children, Youth and Families.

Except as provided in § 31-110 of this subtitle, an employee of an eligible governmental unit is entitled to be a member of the Employees' Pension System if:

(1) (i) the employee is not a member of a local pension system; and  
(ii) the legislative body of the eligible governmental unit approves participation of the eligible governmental unit in the Employees' Pension System ON OR BEFORE JUNE 30, 2013; or

(2) (i) the employee is a member of a local pension system;  
(ii) at least 60% of the members of the local pension system petition to become members of the Employees' Pension System ON OR BEFORE JUNE 30, 2013; and

(iii) the legislative body of the eligible governmental unit approves participation of the eligible governmental unit in the Employees' Pension System ON OR BEFORE JUNE 30, 2013, as though the local pension system were not in operation.

### 31-109.2.

AN EMPLOYEE OF AN ELIGIBLE GOVERNMENTAL UNIT IS ENTITLED TO BE A MEMBER OF THE OPTIONAL RETIREMENT PROGRAM IF:

(1) (I) THE EMPLOYEE IS NOT A MEMBER OF A LOCAL PENSION SYSTEM OR STATE SYSTEM; AND

(II) THE LEGISLATIVE BODY OF THE ELIGIBLE GOVERNMENTAL UNIT APPROVES PARTICIPATION OF THE ELIGIBLE GOVERNMENTAL UNIT IN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013; OR

(2) (I) THE EMPLOYEE IS A MEMBER OF A LOCAL PENSION SYSTEM OR STATE SYSTEM;

(II) AT LEAST 60% OF THE MEMBERS OF THE LOCAL PENSION SYSTEM OR STATE SYSTEM PETITION TO BECOME MEMBERS OF THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013; AND

(III) THE LEGISLATIVE BODY OF THE ELIGIBLE GOVERNMENTAL UNIT APPROVES PARTICIPATION OF THE ELIGIBLE GOVERNMENTAL UNIT IN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013, AS THOUGH THE LOCAL PENSION SYSTEM OR STATE SYSTEM WERE NOT IN OPERATION.

31-109.3.

THE EFFECTIVE DATE OF PARTICIPATION FOR AN ELIGIBLE GOVERNMENTAL UNIT IS JULY 1 OF THE YEAR FOLLOWING THE FISCAL YEAR IN WHICH THE ELIGIBLE GOVERNMENTAL UNIT ELECTS TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM.

31-111.7.

IF AN EMPLOYEE OF A PARTICIPATING GOVERNMENTAL UNIT JOINS THE OPTIONAL RETIREMENT PROGRAM ON THE EFFECTIVE DATE, THE EMPLOYEE IS NOT ENTITLED TO SERVICE CREDIT FOR EMPLOYMENT WITH THE PARTICIPATING GOVERNMENTAL UNIT BEFORE THE EFFECTIVE DATE.

31-112.1.

AN EMPLOYEE OF A PARTICIPATING GOVERNMENTAL UNIT WHO IS A MEMBER OF THE OPTIONAL RETIREMENT PROGRAM IS ENTITLED TO THE BENEFITS TO WHICH STATE EMPLOYEES ARE ENTITLED UNDER THAT SYSTEM.

31-113.

(a) Except as provided in subsection (b) of this section, the operation of the local pension system of an eligible governmental unit terminates on the effective date.

(b) (1) An eligible governmental unit may elect to continue to operate a local pension system after the effective date of participation in the Employees' Pension

System OR THE OPTIONAL RETIREMENT PROGRAM to provide benefits to a person who:

(i) is receiving benefits from the local pension system;

(ii) is eligible to receive benefits from the local pension system on account of the person's previous employment by the eligible governmental unit; or

(iii) did not elect to join the Employees' Pension System under § 23-204(b) of this article.

(2) A person may not be enrolled in the local pension system of a participating governmental unit electing to continue to operate its system under paragraph (1) of this subsection if the person becomes employed or is rehired by the participating governmental unit on or after the effective date of participation of the participating governmental unit in the Employees' Pension System OR THE OPTIONAL RETIREMENT PROGRAM.

(c) The liability for the continuation of benefits under subsection (b) of this section shall be included in the computation of the special accrued liability as provided by § 21-305.3 of this article.

(d) (1) On the effective date:

(i) the assets to the credit of the local pension system of the participating governmental unit that are attributable to the employees of the participating governmental unit who elect to become members of the Employees' Pension System under § 23-204(b) of this article shall be transferred to the Employees' Pension System; and

(ii) the trustee or other administrative head of the local pension system shall certify the proportion of the funds of the local pension system that represents the accumulated contributions of the members as of that date.

(2) The accumulated contributions shall be credited to the respective annuity savings accounts of the members in the Employees' Pension System.

(3) Any balance of the funds transferred to the Employees' Pension System shall be offset against the special accrued liability to be funded by the participating governmental unit as provided by § 21–305.3 of this article.

31–2A–01.

(a) In this subtitle the following words have the meanings indicated.

(b) “Effective date” means the date that an eligible governmental unit commenced or commences participation in the Law Enforcement Officers' Pension System OR THE OPTIONAL RETIREMENT PROGRAM.

(c) “Eligible governmental unit” means:

(1) a governmental unit that is eligible to participate in the Law Enforcement Officers' Pension System under § 31–2A–02 of this subtitle ON OR BEFORE JUNE 30, 2013; OR

(2) A GOVERNMENTAL UNIT THAT IS ELIGIBLE TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013.

31–2A–02.

Subject to § 31–2A–03 of this subtitle, the governmental units that are eligible to participate in the Law Enforcement Officers' Pension System OR THE OPTIONAL RETIREMENT PROGRAM are:

(1) counties; and

(2) municipal corporations.

31–2A–03.

(a) If at least 60% of the law enforcement officers of an eligible governmental unit who are members of a local pension system or State system petition to become members of the Law Enforcement Officers' Pension System ON OR BEFORE JUNE 30, 2013, the legislative body of the eligible governmental unit may approve the



participation of these law enforcement officers in the Law Enforcement Officers' Pension System as though the local pension system were not in operation.

(b) If at least 60% of the firefighters and paramedics employed by the Salisbury Fire Department petition to become members of the Law Enforcement Officers' Pension System ON OR BEFORE JUNE 30, 2013, the legislative body of the City of Salisbury, as an eligible governmental unit, may approve the participation of these firefighters and paramedics in the Law Enforcement Officers' Pension System.

(c) If at least 60% of the firefighters of an eligible governmental unit who are members of a local pension system or State system petition to become members of the Law Enforcement Officers' Pension System ON OR BEFORE JUNE 30, 2013, the legislative body of the eligible governmental unit may approve the participation of these firefighters in the Law Enforcement Officers' Pension System as though the local pension system were not in operation.

**31-2A-03.2.**

**(A) IF AT LEAST 60% OF THE LAW ENFORCEMENT OFFICERS OF AN ELIGIBLE GOVERNMENTAL UNIT WHO ARE MEMBERS OF A LOCAL PENSION SYSTEM OR STATE SYSTEM PETITION TO BECOME MEMBERS OF THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013, THE LEGISLATIVE BODY OF THE ELIGIBLE GOVERNMENTAL UNIT MAY APPROVE THE PARTICIPATION OF THESE LAW ENFORCEMENT OFFICERS IN THE OPTIONAL RETIREMENT PROGRAM AS THOUGH THE LOCAL PENSION SYSTEM OR STATE SYSTEM WERE NOT IN OPERATION.**

**(B) IF AT LEAST 60% OF THE FIREFIGHTERS AND PARAMEDICS EMPLOYED BY THE SALISBURY FIRE DEPARTMENT PETITION TO BECOME MEMBERS OF THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013, THE LEGISLATIVE BODY OF THE CITY OF SALISBURY, AS AN ELIGIBLE GOVERNMENTAL UNIT, MAY APPROVE THE PARTICIPATION OF THESE FIREFIGHTERS AND PARAMEDICS IN THE OPTIONAL RETIREMENT PROGRAM.**

**(C) IF AT LEAST 60% OF THE FIREFIGHTERS OF AN ELIGIBLE GOVERNMENTAL UNIT WHO ARE MEMBERS OF A LOCAL PENSION SYSTEM OR STATE SYSTEM PETITION TO BECOME MEMBERS OF THE OPTIONAL**

RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013, THE LEGISLATIVE BODY OF THE ELIGIBLE GOVERNMENTAL UNIT MAY APPROVE THE PARTICIPATION OF THESE FIREFIGHTERS IN THE OPTIONAL RETIREMENT PROGRAM AS THOUGH THE LOCAL PENSION SYSTEM OR STATE SYSTEM WERE NOT IN OPERATION.

31-2A-03.3.

THE EFFECTIVE DATE OF PARTICIPATION FOR AN ELIGIBLE GOVERNMENTAL UNIT IS JULY 1 OF THE YEAR FOLLOWING THE FISCAL YEAR IN WHICH THE ELIGIBLE GOVERNMENTAL UNIT ELECTS TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM.

31-2A-04.1.

IF A LAW ENFORCEMENT OFFICER, FIREFIGHTER, OR PARAMEDIC JOINS THE OPTIONAL RETIREMENT PROGRAM ON THE EFFECTIVE DATE, THE MEMBER IS NOT ENTITLED TO CREDIT FOR EMPLOYMENT WITH THE PARTICIPATING GOVERNMENTAL UNIT BEFORE THE EFFECTIVE DATE.

31-2A-05.

(a) If an eligible governmental unit approves participation in the Law Enforcement Officers' Pension System OR THE OPTIONAL RETIREMENT PROGRAM, the operation of the local pension system or State system with respect to the law enforcement officers, firefighters, or paramedics terminates on the effective date.

(b) (1) On the effective date:

(i) the assets to the credit of the local pension system or State system that relate to the law enforcement officers, firefighters, or paramedics who elect to become members OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM shall be transferred to the Law Enforcement Officers' Pension System; and

(ii) the trustee or other administrative head of the local pension system or State system shall certify the proportion of the funds of the local pension system or State system that represents the accumulated contributions of the members as of that date.

(2) The accumulated contributions shall be credited to the respective annuity savings accounts of the members in the Law Enforcement Officers' Pension System.

(3) The balance of the funds transferred to the Law Enforcement Officers' Pension System shall be offset against the special accrued liability to be funded by the participating governmental unit as provided by § 21-306.1(d) of this article.

31-2B-01.

(a) In this subtitle the following words have the meanings indicated.

(b) “Effective date” means the date that an eligible governmental unit commenced or commences participation in the Correctional Officers' Retirement System OR THE OPTIONAL RETIREMENT PROGRAM.

(c) “Eligible governmental unit” means:

(1) a governmental unit that is eligible to participate in the Correctional Officers' Retirement System under § 31-2B-02 of this subtitle ON OR BEFORE JUNE 30, 2013; OR

(2) A GOVERNMENTAL UNIT THAT IS ELIGIBLE TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013.

31-2B-02.

Subject to § 31-2B-03 of this subtitle, the governmental units that are eligible to participate in the Correctional Officers' Retirement System OR THE OPTIONAL RETIREMENT PROGRAM are:

(1) counties; and

(2) municipal corporations.

31-2B-03.

If at least 60% of the local detention center officers of an eligible governmental unit who are members of a local pension system or State system petition to become members of the Correctional Officers' Retirement System ON OR BEFORE JUNE 30, 2013, the legislative body of the eligible governmental unit may approve the participation of these local detention center officers in the Correctional Officers' Retirement System as though the local pension system were not in operation.

**31-2B-03.2.**

**IF AT LEAST 60% OF THE LOCAL DETENTION CENTER OFFICERS OF AN ELIGIBLE GOVERNMENTAL UNIT WHO ARE MEMBERS OF A LOCAL PENSION SYSTEM OR STATE SYSTEM PETITION TO BECOME MEMBERS OF THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013, THE LEGISLATIVE BODY OF THE ELIGIBLE GOVERNMENTAL UNIT MAY APPROVE THE PARTICIPATION OF THESE LOCAL DETENTION CENTER OFFICERS IN THE OPTIONAL RETIREMENT PROGRAM AS THOUGH THE LOCAL PENSION SYSTEM OR STATE SYSTEM WERE NOT IN OPERATION.**

**31-2B-04.1.**

**IF A LOCAL DETENTION CENTER OFFICER JOINS THE OPTIONAL RETIREMENT PROGRAM ON THE EFFECTIVE DATE, THE MEMBER IS NOT ENTITLED TO CREDIT FOR EMPLOYMENT WITH THE PARTICIPATING GOVERNMENTAL UNIT BEFORE THE EFFECTIVE DATE.**

**31-2B-05.**

(a) If an eligible governmental unit approves participation in the Correctional Officers' Retirement System OR THE OPTIONAL RETIREMENT PROGRAM, the operation of the local pension system or State system with respect to the local detention center officers terminates on the effective date.

(b) (1) On the effective date:

(i) the assets to the credit of the local pension system or State system that relate to the local detention center officers who elect to become members

OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM shall be transferred to the Correctional Officers' Retirement System; and

(ii) the trustee or other administrative head of the local pension system or State system shall certify the proportion of the funds of the local pension system that represents the accumulated contributions of the members as of that date.

(2) The accumulated contributions shall be credited to the respective annuity savings accounts of the members in the Correctional Officers' Retirement System.

(3) The balance of the funds transferred to the Correctional Officers' Retirement System shall be offset against the special accrued liability to be funded by the participating governmental unit as provided by § 21-306.1(d) of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) This section applies to any individual who:

(1) served as Governor on or before January 20, 2015; and

(2) serves as Governor on or after January 21, 2015.

(b) An individual described under subsection (a) of this section shall receive a retirement allowance equal to:

(1) one-third of the annual salary received by the current Governor;  
and

(2) any benefit accrued on or after January 21, 2015, in the optional retirement program as provided under Title 30 of the State Personnel and Pensions Article.”;

and in line 4, strike “2.” and substitute “3.”.

The preceding 2 amendments were read only.

Senator Kittleman moved, duly seconded, that the Bill and Amendments be laid over under the Rule.

The motion was adopted.

**Senate Bill 476 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Unused Sick Leave Calculation – Clarification**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Kittleman moved, duly seconded, to make the Bill and Report a Special Order for February 14, 2013.

The motion was adopted.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 186)

**THIRD READING FILE**

The presiding officer submitted the following Bills for Third Reading:

**THIRD READING CALENDAR (SENATE BILLS) #13**

**Senate Bill 124 – Senators Peters, Astle, Brinkley, Brochin, Colburn, Currie, Edwards, Garagiola, Getty, Glassman, Jacobs, Jennings, Kittleman, Klausmeier, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Raskin, Simonaire, ~~and Zirkin~~ Zirkin, Jones–Rodwell, and DeGrange**

AN ACT concerning

**Income Tax Credit for Qualifying Employees – Sunset Repeal and Expansion**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 187)

The Bill was then sent to the House of Delegates.

**Senate Bill 144 – Senator Kasemeyer**

AN ACT concerning

**Property Tax Credit – Historically and Architecturally Valuable Property**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 188)

The Bill was then sent to the House of Delegates.

**Senate Bill 154 – Senator Mathias**

AN ACT concerning

**Somerset County – County Treasurer – Abolishment and Transfer of  
Functions to the County Supervisor of Tax Collection**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 189)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 46 Members present.

(See Roll Call No. 190)

**ADJOURNMENT**

At 10:47 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 9:30 A.M. on Thursday, February 14, 2013 in memory of Stephen Alex Rane.

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**Annapolis, Maryland**  
**Thursday, February 14, 2013**  
**9:30 A.M. Session**

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The Senate met at 10:16 A.M.

Prayer by Reverend Kenneth Valentine, Wesley Grove United Methodist Church, guest of Senator DeGrange.

(See Exhibit A of Appendix III)

The Journal of February 13, 2013 was read and approved.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 193)

**INTRODUCTION OF RESOLUTIONS**

**Senate Resolution No. 317 – Senator Catherine E. Pugh:**

Be it hereby known to all that  
The Senate of Maryland  
offers its sincerest congratulations to  
American Heart Association  
in recognition of  
National Wear Red Day, reminding women to take care of their heart with a healthy  
diet, physical activity and  
the elimination of tobacco products.

The entire membership extends best wishes on  
this memorable occasion and directs this resolution  
be presented on this 14th day of February 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 194)

**INTRODUCTION OF BILLS**



**Senate Bill 942 – Senator Reilly**

**EMERGENCY BILL**

AN ACT concerning

**State Board of Physicians – Licensing Qualifications – Additional Training Exemption**

FOR the purpose of exempting certain applicants for a license to practice medicine in the State from a requirement to submit evidence of certain additional clinical training after having failed a certain examination a certain number of times; making this Act an emergency measure; and generally relating to licensing qualifications for physicians.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–307  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 943 – Senator Shank**

AN ACT concerning

**Vehicle Emissions Inspection Program – Decentralization – Study**

FOR the purpose of requiring the Motor Vehicle Administration and the Maryland Department of the Environment jointly to study the feasibility and desirability of establishing, in whole or in part, a certain decentralized emissions inspection and testing program to implement the Vehicle Emissions Inspection Program, consider matters related to emission reduction benefits under federal law, and report their findings and recommendations to the Governor and certain committees of the General Assembly on or before a certain date; and generally relating to the Vehicle Emissions Inspection Program.

BY repealing and reenacting, without amendments,  
Article – Transportation  
Section 23–203  
Annotated Code of Maryland  
(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 944 – Senators Raskin, Garagiola, Madaleno, and Manno**

AN ACT concerning

**Creation of a State Debt – Montgomery County – Maryland Youth Ballet  
Institutional Capacity Building**

FOR the purpose of authorizing the creation of a State Debt in the amount of \$300,000, the proceeds to be used as a grant to the Board of Directors of the Maryland Youth Ballet, Inc. for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 945 – Senator Pinsky**

AN ACT concerning

**Higher Education – Maryland Longitudinal Data System – Governing Board  
and Data Transfers**

FOR the purpose of adding the President of the Maryland Independent College and University Association, or the President's designee, to the Governing Board of the Maryland Longitudinal Data System Center; requiring private nonprofit institutions of higher education that receive State funds to transfer certain student data to the Maryland Longitudinal Data System in accordance with a certain plan; establishing that a certain institution of higher education or postsecondary education that transfers or discloses student-level data to the Maryland Longitudinal Data System in accordance with a certain plan is not liable for a breach of confidentiality or a disclosure, use, retention, or destruction of the data that results from an act or omission by the Maryland Longitudinal Data System Center, a State agency, or a certain person; establishing that if the Maryland Independent College and University Association transfers or discloses student-level data to the Maryland Longitudinal Data System or a State agency on behalf of a private nonprofit institution of higher education in accordance with a certain plan, the association is not liable for a breach of confidentiality or a disclosure, use, retention, or destruction of the data that results from an act or omission by the Maryland Longitudinal Data System Center, a State agency, or a certain person; and generally relating to the Maryland Longitudinal Data System.

BY repealing and reenacting, without amendments,

Article – Education

Section 24-701(a), (b), and (d) and 24-704(a) and (g)(6)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 24–704(b) and 24–707  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 946 – Senator Robey**

AN ACT concerning

**Issuance of Search Warrant by Electronic Means Act of 2013**

FOR the purpose of expanding a certain provision of law requiring an application for a search warrant to be in writing to authorize an application for a search warrant to be submitted through any electronic or digital means; and generally relating to search warrants.

BY repealing and reenacting, with amendments,  
Article – Criminal Procedure  
Section 1–203(a)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 947 – Senator Jennings**

EMERGENCY BILL

AN ACT concerning

**Baltimore County – Property Tax Credit – Bowerman–Loreley Beach  
Community Association, Inc.**

FOR the purpose of making a technical correction for purposes of a certain property tax credit; making this Act an emergency measure; and generally relating to a property tax credit in Baltimore County for the Bowerman–Loreley Beach Community Association, Inc.

BY repealing and reenacting, with amendments,  
Article – Tax – Property  
Section 9–305(b)(21)  
Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

**Senate Bill 948 – Senator Madaleno**

AN ACT concerning

**Environment – Retail Service Stations – Setback Certification**

FOR the purpose of requiring certain retail service stations constructed after a certain date to meet certain requirements; requiring a person constructing a certain retail service station on or after a certain date to apply to the Department of the Environment for a setback certification; requiring the Department to issue a setback certification if a certain retail service station meets certain requirements; prohibiting a person from constructing a certain retail service station on or after a certain date without a setback certification; requiring the Department to adopt certain regulations; defining certain terms; stating the findings of the General Assembly; and generally relating to the location of retail service stations.

BY adding to

Article – Business Regulation

Section 10–504

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Environment

Section 6–101 through 6–104 to be under the new subtitle “Subtitle 1. Retail Service Stations”

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 949 – Senator Mathias**

AN ACT concerning

**Worcester County – Alcoholic Beverages**

FOR the purpose of authorizing a holder of a seven–day Class B beer, wine and liquor license in Worcester County to sell beer, wine and liquor off–sale; authorizing a holder of a seven–day Class D beer, wine and liquor license in Worcester County to sell beer, wine and liquor off–sale; altering the maximum amount of a certain fine for certain violations in Worcester County; applying certain provisions of

law relating to certain alcohol awareness programs to holders of certain alcoholic beverages licenses or certain employees of certain license holders in Worcester County; making a certain exception; and generally relating to alcoholic beverages in Worcester County.

BY repealing and reenacting, without amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(a)(1) and 6–401(a)(1)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(y), 6–401(y), 11–304(a), and 13–101  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 950 – Senator Mathias**

AN ACT concerning

**Personal Automobile Insurance – Rescission of Policy or Binder –  
Misrepresentations by Applicant**

FOR the purpose of authorizing an insurer to rescind a policy or binder of personal automobile insurance if an applicant makes certain misrepresentations; requiring the insurer to provide certain notice to an applicant that certain insurance coverage may be rescinded under certain circumstances; requiring an insurer to take certain actions before rescinding certain insurance coverage; providing for the application of this Act; and generally relating to rescission of a policy or binder of personal automobile insurance.

BY adding to  
Article – Insurance  
Section 12–106(k)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 951 – Senator Benson**

AN ACT concerning

### Health Occupations – Polysomnographic Technologists – Licensure and Discipline

FOR the purpose of authorizing, rather than requiring, the State Board of Physicians to reinstate, under certain circumstances, the license of a polysomnographic technologist; repealing the requirement that the Board place a licensed polysomnographic technologist on inactive status under certain circumstances; repealing obsolete language regarding the reinstatement of licenses of certain polysomnographic technologists; authorizing the Board, subject to a certain provision of law, to deny a license or take certain action against a licensee for failing to cooperate with a lawful investigation conducted by the Board; prohibiting, except as otherwise provided by certain provisions of law, a licensed physician from employing or supervising an individual practicing polysomnography without a license; prohibiting certain entities, except as otherwise provided by certain provisions of law, from employing an individual practicing polysomnography without a license; authorizing the Board to impose a certain civil penalty for the violation of certain provisions of this Act; requiring the Board to pay the penalty into the General Fund of the State; providing that a person who violates a provision of the Maryland Polysomnography Act is subject to a certain civil fine to be levied by the Board; and generally relating to the regulation of the practice of polysomnography in the State.

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–5C–14(f), 14–5C–17(a)(26) and (27), and 14–5C–23(b)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Health Occupations  
Section 14–5C–15  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY adding to  
Article – Health Occupations  
Section 14–5C–17(a)(28) and 14–5C–22.1  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 952 – Senator Benson**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Prince George’s County  
– Labor of Love Learning Center**

FOR the purpose of amending the Maryland Consolidated Capital Bond Loan of 2012 to authorize a required matching fund for a certain grant for the Labor of Love Learning Center to consist of funds expended prior to a certain date; and generally relating to amending the Maryland Consolidated Capital Bond Loan of 2012.

BY repealing and reenacting, with amendments,  
Chapter 444 of the Acts of the General Assembly of 2012  
Section 1(3) Item ZA02(BI) and Item ZA03(AU)

Read the first time and referred to the Committee on Rules.

**Senate Bill 953 – Senator Benson**

AN ACT concerning

**Creation of a State Debt – Prince George’s County – City of Seat Pleasant  
Public Works Facility**

FOR the purpose of authorizing the creation of a State Debt not to exceed \$500,000, the proceeds to be used as a grant to the Mayor and City Council of the City of Seat Pleasant for certain development or improvement purposes; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; and providing generally for the issuance and sale of bonds evidencing the loan.

Read the first time and referred to the Committee on Rules.

**Senate Bill 954 – Senator Benson**

AN ACT concerning

**Maryland Board of Physicians – Authority to Issue Temporary Licenses and  
Radiation Therapy, Radiography, Nuclear Medicine Technology, and  
Radiology Assistance Advisory Committee**

FOR the purpose of repealing the authority of the Maryland Board of Physicians to issue temporary licenses to practice radiation therapy, radiography, or nuclear medicine technology; repealing certain provisions of law referring to certain temporary licenses; reducing the number of members appointed to the Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee; repealing a certain defined term; altering a certain definition; making certain clarifying and technical changes; and

generally relating to the Radiation Therapy, Radiography, Nuclear Medicine Technology, and Radiology Assistance Advisory Committee and the repeal of the authority of the Maryland Board of Physicians to issue temporary licenses.

BY repealing and reenacting, without amendments,  
Article – Health Occupations  
Section 14–5B–01(a)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing  
Article – Health Occupations  
Section 14–5B–01(e)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health Occupations  
Section 14–5B–01(p), 14–5B–05(a) and (b), 14–5B–07, 14–5B–09, 14–5B–13,  
14–5B–14(a) and (c), 14–5B–15(a) through (c), and 14–5B–18.1(a)  
through (c)  
Annotated Code of Maryland  
(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

### **Senate Bill 955 – Senator Brinkley**

AN ACT concerning

#### **Alcoholic Beverages – Refillable Containers – Class 5 Manufacturer’s License**

FOR the purpose of authorizing the State Comptroller to issue a refillable container permit to a holder of a Class 5 manufacturer’s license; providing for the renewal of the permit; authorizing a holder of a refillable container permit to sell draft beer in certain refillable containers for consumption off the licensed premises; specifying the hours of sale for the permit; providing that a holder of the permit may refill only a refillable container that was branded by the permit holder; authorizing the Comptroller to adopt certain regulations; and generally relating to the issuance of a refillable container permit to a holder of a Class 5 manufacturer’s license.

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 2–206  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)



Read the first time and referred to the Committee on Rules.

**Senate Bill 956 – Senator Brinkley**

AN ACT concerning

**State Government – Mental Health and Law Enforcement Advisory Board**

FOR the purpose of establishing the Mental Health and Law Enforcement Advisory Board; providing for the composition, chair, and staffing of the Board; prohibiting a member of the Board from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Board to make recommendations regarding the establishment of a certain center, report its findings and recommendations, on or before a certain date, to the Governor and certain committees of the General Assembly, and provide ongoing support and assistance to a certain center; and generally relating to the Mental Health and Law Enforcement Advisory Board.

BY adding to

Article – State Government

Section 9–3001 to be under the new subtitle “Subtitle 30. Mental Health and Law Enforcement Advisory Board”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 957 – Senators Brinkley and Young**

AN ACT concerning

**Frederick County – Alcoholic Beverages – Banquet Facility License**

FOR the purpose of altering the Banquet Facility license in Frederick County by specifying that the license entitles the holder to sell beer, wine, and liquor; specifying that a certain requirement concerning minimum serving capacity may be met by persons who are inside the facility or outside on the premises; repealing the requirement that a facility be eligible for inclusion in a certain national register; altering a certain minimum capital investment requirement for licensees; authorizing a licensee to sell beer, wine, or liquor for off–premises consumption in collectible bottles under certain circumstances; and generally relating to banquet facility licenses in Frederick County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 6–201(l)(1)

Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article 2B – Alcoholic Beverages  
Section 6–201(l)(4)  
Annotated Code of Maryland  
(2011 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 958 – Senator Madaleno**

AN ACT concerning

**Education – State Funding – Operating and Capital Funds**

FOR the purpose of establishing the rate by which the target per pupil foundation amount is increased in certain fiscal years; requiring that certain county boards of education receive a certain grant; repealing a certain provision that allowed for the reduction of a grant under certain circumstances; establishing a certain State goal to provide at least a certain amount of funds in each fiscal year for certain purposes; and generally relating to education funding in the State.

BY repealing and reenacting, without amendments,  
Article – Education  
Section 5–202(a)(1)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,  
Article – Education  
Section 5–202(a)(13) and (f) and 5–301(c)  
Annotated Code of Maryland  
(2008 Replacement Volume and 2012 Supplement)

Read the first time and referred to the Committee on Rules.

**Senate Bill 959 – Senator Getty**

AN ACT concerning

**Drugged Driving – Drug Recognition Expert – Testimony**

FOR the purpose of establishing that a police officer who is certified as a drug recognition expert may be qualified to testify under certain circumstances; establishing that the opinion of a certain police officer as to certain matters

concerning drugs and controlled dangerous substances may be admissible at trial; establishing that a certain drug evaluation and classification protocol is deemed to be generally accepted within the scientific community and based on generally accepted scientific principles; removing certain limitations on a police officer requiring or directing a test for drug or controlled dangerous substance content under certain circumstances; and generally relating to evidence in drugged driving trials.

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–205.1(i)

Annotated Code of Maryland

(2012 Replacement Volume)

Read the first time and referred to the Committee on Rules.

## INTRODUCTION OF JOINT RESOLUTIONS

### **Senate Joint Resolution 2 – Senator Brinkley**

A Senate Joint Resolution concerning

#### **U.S. Constitution – Article V Amendments Convention – State Approval of Federal Debt Increases**

FOR the purpose of applying to the U.S. Congress for an amendments convention called under Article V of the U.S. Constitution, on the application of the legislatures of two-thirds of the several states, to propose an amendment to the U.S. Constitution requiring approval from a majority of the legislatures of the separate states to increase the federal debt; and generally relating to an application to Congress for a convention to propose an amendment to the U.S. Constitution.

Read the first time and referred to the Committee on Rules.

## LAID OVER BILLS

The presiding officer submitted the following Laid Over Bills with amendments:

### **Senate Bill 269 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

#### **State Retirement and Pension System – Correction of Errors in Benefits**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE AMENDMENTS (2) OFFERED FROM THE FLOOR BY SENATOR KITTLEMAN.

FLOOR AMENDMENT

**SB0269/273626/1**

BY: Senator Kittleman

AMENDMENTS TO SENATE BILL 269

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Benefits” insert “and Expanding Participation in Optional Retirement Program”; in line 6, after “receive;” insert “providing that only certain individuals serving as Governor are eligible for a certain defined benefit retirement allowance; providing that, on or after a certain date, certain individuals are not eligible to join the Employees’ Pension System, the Teachers’ Pension System, the State Police Retirement System, the Correctional Officers’ Retirement System, the Law Enforcement Officers’ Pension System, or the Judges’ Retirement System; requiring that, on or after a certain date, certain individuals are required to join the optional retirement program as a condition of employment; providing that certain supervising employers are not responsible for the payment of certain benefits payable under the optional retirement program; requiring certain supervising employers to administer certain aspects of the participation of certain employees participating in the optional retirement program; providing that certain employees are eligible to participate in the optional retirement program; requiring that certain employees who elect to participate in the optional retirement program make such an election within a certain period of time and in a certain manner; requiring certain participating governmental units that elect to participate in the State Retirement and Pension System on or after a certain date to participate in the optional retirement program; requiring certain participating governmental units that elect to participate in the optional retirement program to make the election in a certain manner; providing for the effective date of participation for certain participating governmental units that elect to participate in the optional retirement program; prohibiting a participating governmental unit from transferring certain service credit of certain employees of the participating governmental unit to the optional retirement program; defining certain terms;” in line 7, after “System” insert “and the prohibition on system membership for certain new hires and providing State employees and employees of participating”

governmental units with a defined contribution retirement benefit”; in line 10, after “21-113(a)” insert “, 22-405, 23-203, 23-204(c) and (d), 23-208, 24-202, 24-203, 25-202, 26-202(a), 30-101, 30-201, 30-202, 30-207, 30-210, 30-301, 30-302, 30-303, 30-305, 30-307(e), 31-101(c) and (d), 31-102, 31-109, 31-113, 31-2A-01(b) and (c), 31-2A-02, 31-2A-03, 31-2A-05, 31-2B-01(b) and (c), 31-2B-02, 31-2B-03, and 31-2B-05”; and after line 12, insert:

“BY adding to

Article – State Personnel and Pensions

Section 27-201.1, 31-109.2, 31-109.3, 31-111.7, 31-112.1, 31-2A-03.2, 31-2A-03.3, 31-2A-04.1, 31-2B-03.2, and 31-2B-04.1

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – State Personnel and Pensions

Section 31-101(a), 31-2A-01(a), and 31-2B-01(a)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)”.

#### AMENDMENT NO. 2

On page 2, after line 3, insert:

“22-405.

**(a) (1) THIS SECTION APPLIES ONLY TO AN INDIVIDUAL WHO SERVED AS GOVERNOR ON OR BEFORE JANUARY 20, 2015.**

**(2) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO SERVES AS GOVERNOR ON OR AFTER JANUARY 21, 2015.**

**(B) Subject to subsection [(d)] (E) of this section, if a Governor serves for at least:**

**(1) one full term, the Governor is entitled to receive a retirement allowance equal to one-third of the annual salary received by the current Governor in office; or**

(2) two full terms, the Governor is entitled to receive a retirement allowance equal to one-half of the annual salary received by the current Governor in office.

[(b)] (C) The Board of Trustees shall suspend a retirement allowance received under this section during any period when the former Governor is employed by a unit of State government.

[(c)] (D) Except as provided in subsection [(d)] (E) of this section, a Governor may not receive a retirement allowance under this subsection until the Governor is at least 55 years old.

[(d)] (E) (1) A Governor who leaves office because of physical or mental disability, under Article II, Section 6(c) of the Maryland Constitution, shall immediately receive a disability retirement allowance equal to the amount the Governor would have received had the Governor completed the current term and become 55 years old.

(2) If the physical or mental disability ends before the former Governor becomes 55 years old, the Board of Trustees shall stop the disability retirement allowance, but the former Governor shall receive the normal retirement allowance at age 55 if otherwise qualified.

[(e)] (F) On the death of a former Governor, the surviving spouse of the former Governor shall receive an allowance that is equal to one-half of the former Governor's retirement allowance.

[(f)] (G) On the death of a Governor while in office, the deceased Governor's surviving spouse shall receive one-half of the retirement allowance that the deceased Governor would have been entitled to receive had the deceased Governor completed the current term and become 55 years old.

23-203.

(A) Except as provided in § 23-204 of this subtitle, an individual described in § 23-201(a) of this subtitle who becomes an employee of a participating employer on or after January 1, 1980, AND ON OR BEFORE JUNE 30, 2013, or who transfers

membership from the Employees' Retirement System ON OR BEFORE JUNE 30, 2013, is a member of the Employees' Pension System as a condition of employment.

**(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL WHO IS NOT A MEMBER OF THE EMPLOYEES' PENSION SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE EMPLOYEES' PENSION SYSTEM.**

**(2) AN INDIVIDUAL IS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM IF THE INDIVIDUAL COMMENCES EMPLOYMENT ON OR AFTER JULY 1, 2013, FOR A PARTICIPATING GOVERNMENTAL UNIT THAT ELECTED TO JOIN THE EMPLOYEES' PENSION SYSTEM ON OR BEFORE JUNE 30, 2013.**

23-204.

(c) (1) Subject to paragraph (2) of this subsection, membership in the Employees' Pension System is optional for an individual described in § 23-201(a)(2)(iv) of this subtitle who is elected or appointed as the Baltimore City Sheriff ON OR BEFORE JUNE 30, 2013.

(2) An individual who is elected or appointed as the Baltimore City Sheriff ON OR BEFORE JUNE 30, 2013, and who does not elect to join the Employees' Pension System is a member of the [Law Enforcement Officers' Pension System] OPTIONAL RETIREMENT PROGRAM under Title [26] 30 of this article as a condition of employment.

(3) To elect to be a member of the Employees' Pension System under this subsection, an individual shall file a written application with the State Retirement Agency.

(4) An individual who does not elect membership within 6 months of the date the individual begins serving as the Baltimore City Sheriff shall become a member of the [Law Enforcement Officers' Pension System] OPTIONAL RETIREMENT PROGRAM.

(d) (1) This subsection applies to an individual described in § 23-201(a)(2)(iv) of this subtitle who elects membership in the Employees' Pension System under this section.

(2) An individual described in paragraph (1) of this subsection may elect membership in the Law Enforcement Officers' Pension System if the county employing the individual elects to become an eligible governmental unit in the Law Enforcement Officers' Pension System ON OR BEFORE JUNE 30, 2013, AND in accordance with §§ 31-2A-02 through 31-2A-05 of this article.

(3) If an individual transfers to the Law Enforcement Officers' Pension System under this subsection, the eligible governmental unit is responsible for all employer contributions required for the individual under § 21-306.1 of this article.

23-208.

(A) Except as provided in § 23-209 of this subtitle, an individual described in § 23-206(a) of this subtitle who becomes employed by a participating employer on or after January 1, 1980, AND ON OR BEFORE JUNE 30, 2013, or who transfers membership from the Teachers' Retirement System ON OR BEFORE JUNE 30, 2013, is a member of the Teachers' Pension System as a condition of employment.

(B) AN INDIVIDUAL WHO IS NOT A MEMBER OF THE TEACHERS' PENSION SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE TEACHERS' PENSION SYSTEM.

24-202.

(A) Except as provided in § 24-203 of this subtitle, an individual described in § 24-201 of this subtitle WHO BECOMES A POLICE EMPLOYEE OR A MARYLAND STATE POLICE CADET ON OR BEFORE JUNE 30, 2013, is a member of the State Police Retirement System as a condition of employment.

(B) AN INDIVIDUAL WHO IS NOT A MEMBER OF THE STATE POLICE RETIREMENT SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE STATE POLICE RETIREMENT SYSTEM.

24-203.



The Secretary of State Police may waive membership in the State Police Retirement System and elect to become a member of the [Employees' Pension System] **OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE.**

25-202.

(a) (1) Except as provided in subsection (b) of this section, an individual described in § 25-201(a) of this subtitle is a member of the Correctional Officers' Retirement System as a condition of employment **IF THE INDIVIDUAL BEGAN EMPLOYMENT IN A POSITION DESCRIBED IN § 25-201(A) OF THIS SUBTITLE ON OR BEFORE JUNE 30, 2013.**

(2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN INDIVIDUAL WHO IS NOT A MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM.

(II) AN INDIVIDUAL IS A MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM IF THE INDIVIDUAL COMMENCES EMPLOYMENT ON OR AFTER JULY 1, 2013, FOR A PARTICIPATING GOVERNMENTAL UNIT THAT ELECTED TO JOIN THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ON OR BEFORE JUNE 30, 2013.

(b) (1) Subject to paragraph (2) of this subsection, membership in the Correctional Officers' Retirement System is optional for an individual described in § 25-201 of this subtitle who was employed by a participating governmental unit as a local detention center officer on the effective date of participation on or after July 1, 2006, for that participating governmental unit and who elects membership within 6 months of the effective date of participation.

(2) To elect to be a member of the Correctional Officers' Retirement System, an individual shall file a written application with the State Retirement Agency.

(3) If an individual does not elect membership during the applicable period specified under paragraph (1) of this subsection, the individual may not become a member of the Correctional Officers' Retirement System.

26–202.

(a) **(1)** Except as provided in subsection (b) of this section, an individual described in § 26–201 of this subtitle is a member of the Law Enforcement Officers’ Pension System as a condition of employment IF THE INDIVIDUAL BEGAN EMPLOYMENT IN A POSITION DESCRIBED IN § 26–201 OF THIS SUBTITLE ON OR BEFORE JUNE 30, 2013.

**(2) (I)** EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, AN INDIVIDUAL WHO IS NOT A MEMBER OF THE LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM.

**(II)** AN INDIVIDUAL IS A MEMBER OF THE LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM IF THE INDIVIDUAL COMMENCES EMPLOYMENT ON OR AFTER JULY 1, 2013, FOR A PARTICIPATING GOVERNMENTAL UNIT THAT ELECTED TO JOIN THE LAW ENFORCEMENT OFFICERS’ PENSION SYSTEM ON OR BEFORE JUNE 30, 2013.

27–201.1.

AN INDIVIDUAL WHO IS NOT A MEMBER OF THE JUDGES’ RETIREMENT SYSTEM ON JUNE 30, 2013, IS NOT ELIGIBLE FOR MEMBERSHIP IN THE JUDGES’ RETIREMENT SYSTEM.

30–101.

(a) In this title the following words have the meanings indicated.

(b) (1) “Annuity contract” means a fixed or variable annuity contract or combination of fixed or variable annuity contracts authorized under § 403(a) or (b) of the Internal Revenue Code.

(2) “Annuity contract” includes a custodial account to be invested in regulated investment company stock as provided in § 401(f) or § 403(b)(7) of the Internal Revenue Code.

(c) “Designated company” means an entity that:

(1) on or before March 1, 1993, was designated by the governing board of an employing institution to offer annuity contracts under the program; or

(2) is designated by the Board of Trustees.

(d) “Eligible employee” means an individual eligible to participate in the program.

(e) “Employing institution” means:

(1) the University System of Maryland;

(2) Morgan State University;

(3) St. Mary’s College;

(4) the Maryland Higher Education Commission with respect to eligible employees of the Commission; and

(5) any community college or regional community college established under Title 16 of the Education Article.

(f) “Participating employee” means an eligible employee who elects to participate in the program.

(g) “Pension system” means the Employees’ Pension System or the Teachers’ Pension System.

(h) “Program” means the optional retirement program established under § 30–201 of this title.

(i) “Retirement system” means the Employees’ Retirement System or the Teachers’ Retirement System.

**(J) “SUPERVISING EMPLOYER” MEANS:**

**(1) ANY UNIT OF STATE GOVERNMENT;**

**(2) A COUNTY BOARD OF EDUCATION OR THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS;**

**(3) A LIBRARY THAT IS ESTABLISHED UNDER THE EDUCATION ARTICLE;**

**(4) AN EMPLOYING INSTITUTION;**

**(5) A PARTICIPATING GOVERNMENTAL UNIT THAT IS ELIGIBLE TO PARTICIPATE UNDER TITLE 31, SUBTITLE 1 OF THIS ARTICLE AND ELECTS TO JOIN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013;**

**(6) THE OFFICE OF THE SHERIFF OF BALTIMORE CITY;**

**(7) A BOARD OF SUPERVISORS OF ELECTIONS OF A COUNTY;**

**(8) THE STATE RACING COMMISSION AUTHORIZED BY § 11-207 OF THE BUSINESS REGULATION ARTICLE;**

**(9) A CIRCUIT COURT FOR ANY COUNTY;**

**(10) THE MARYLAND ENVIRONMENTAL SERVICE;**

**(11) THE BALTIMORE CITY DETENTION CENTER;**

**(12) THE CLIFTON T. PERKINS HOSPITAL CENTER;**

**(13) THE FIELD ENFORCEMENT BUREAU;**

**(14) THE UNIVERSITY OF MARYLAND POLICE FORCE;**

**(15) THE MORGAN STATE UNIVERSITY POLICE FORCE;**

**(16) THE BWI AIRPORT FIRE & RESCUE DEPARTMENT;**

**(17) THE MILITARY DEPARTMENT; OR**

**(18) THE SALISBURY FIRE DEPARTMENT.**

**[(j)] (K)** “Supplemental retirement plans” means plans established pursuant to § 30–401 of this title.

30–201.

(a) There is an optional retirement program in which eligible employees may participate.

(b) Under the program, annuity contracts offered by a designated company that provide retirement and death benefits may be purchased for participating employees.

(c) (1) The Board of Trustees shall administer the program to the extent provided in this title.

(2) The State Retirement Agency shall carry out the administrative duties of the Board of Trustees.

(d) The program shall be offered by each [employing institution] SUPERVISING EMPLOYER.

30–202.

(a) The Board of Trustees may designate not more than four companies, in addition to the company that was designated by a governing board of an employing institution on or before March 1, 1993, from which annuity contracts are to be purchased under the program.

(b) (1) The Board of Trustees shall approve the form and contents of annuity contracts to be offered by a company that is designated by the Board of Trustees under subsection (a) of this section.

(2) The Board of Trustees may also approve the form and contents of additional types of annuity contracts to be offered for the first time after October 1,

1993, by the company designated by the governing board of an employing institution on or before March 1, 1993.

(c) In making the designation and giving approval under this section, the Board of Trustees shall consider:

(1) the nature and extent of the rights and benefits to be provided by the annuity contracts for participating employees and their beneficiaries;

(2) the relation of those rights and benefits to the amount of contributions to be made;

(3) the suitability of the rights and benefits to the needs of the participating employees and the interests of the [employing institutions] **SUPERVISING EMPLOYERS** in the recruitment and retention of participating employees;

(4) the ability of the company to provide for suitable rights and benefits under the annuity contracts;

(5) the selection of annuity contracts offered by the company;

(6) the financial stability of the company and whether the company meets minimum financial criteria, if any, including a minimum net worth requirement, if any, established by the Board of Trustees; and

(7) the effect of any fees, commissions, or other charges imposed or collected in connection with an annuity contract.

30-207.

Benefits under the program:

(1) shall be payable to participating employees or their beneficiaries in accordance with the terms of the annuity contracts; and

(2) are not payable by [the State or governing board of an employing institution] **A SUPERVISING EMPLOYER.**

30-210.

With respect to a participating employee who is employed by [an employing institution or an institution over which the employing institution has administrative authority, the employing institution] A SUPERVISING EMPLOYER, THE SUPERVISING EMPLOYER shall administer the participating employee's enrollment, termination, or retirement under the program.

30-301.

(a) An individual is [eligible to participate in the program if the individual is eligible for membership in a retirement system or a pension system and] AN ELIGIBLE EMPLOYEE IF THE INDIVIDUAL is:

- (1) a member of the faculty of an employing institution;
- (2) a professional employee at a community college or regional community college established under Title 16 of the Education Article;
- (3) an employee of the University System of Maryland who is in a position designated as exempt under a policy adopted by the University System of Maryland Board of Regents;
- (4) an employee of Morgan State University who is in a position designated as professional or administrative by the Board of Regents of Morgan State University;
- (5) an employee of St. Mary's College of Maryland who is in a position determined by the Board of Trustees of the College to be a professional or faculty position; [or]
- (6) an employee of the Maryland Higher Education Commission who is in a position determined by the Secretary of Higher Education to be a professional position;
- (7) SERVING AS GOVERNOR ON OR AFTER JANUARY 21, 2015;**
- (8) A REGULAR EMPLOYEE WHOSE COMPENSATION IS PROVIDED BY STATE APPROPRIATION OR PAID FROM STATE FUNDS;**

**(9) AN APPOINTED OR ELECTED OFFICIAL OF THE STATE, INCLUDING:**

**(I) A CLERK OF THE CIRCUIT COURT;**

**(II) A REGISTER OF WILLS;**

**(III) A STATE’S ATTORNEY; AND**

**(IV) A SHERIFF;**

**(10) AN EMPLOYEE OF A DAY SCHOOL IN THE STATE UNDER THE AUTHORITY AND SUPERVISION OF A COUNTY BOARD OF EDUCATION OR THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS EMPLOYED AS:**

**(I) A CLERK;**

**(II) A HELPING TEACHER;**

**(III) A PRINCIPAL;**

**(IV) A SUPERINTENDENT;**

**(V) A SUPERVISOR; OR**

**(VI) A TEACHER;**

**(11) A LIBRARIAN OR CLERICAL EMPLOYEE OF A LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE;**

**(12) A STAFF EMPLOYEE OF THE UNIVERSITY SYSTEM OF MARYLAND, MORGAN STATE UNIVERSITY, OR ST. MARY’S COLLEGE OF MARYLAND WHO IS A MEMBER OF THE TEACHERS’ PENSION SYSTEM AS OF JANUARY 1, 1998, OR WHO TRANSFERRED FROM THE TEACHERS’ RETIREMENT SYSTEM ON OR AFTER JANUARY 1, 1998;**



(13) AN EMPLOYEE OR OFFICIAL OF A PARTICIPATING GOVERNMENTAL UNIT THAT, ON OR AFTER JULY 1, 2013, HAS ELECTED TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM;

(14) AN EMPLOYEE OF THE OFFICE OF THE SHERIFF OF BALTIMORE CITY;

(15) AN EMPLOYEE OR AGENT OF THE STATE RACING COMMISSION AUTHORIZED BY § 11-207 OF THE BUSINESS REGULATION ARTICLE;

(16) A PERMANENT EMPLOYEE OF THE BOARD OF SUPERVISORS OF ELECTIONS OF A COUNTY;

(17) A FULL-TIME MASTER IN CHANCERY OR IN JUVENILE CAUSES WHO WAS APPOINTED ON OR AFTER JULY 1, 1989, IN ANY COUNTY BY THE CIRCUIT COURT FOR THAT COUNTY;

(18) A NONFACULTY EMPLOYEE OF THE BALTIMORE CITY COMMUNITY COLLEGE;

(19) A STAFF EMPLOYEE OF THE UNIVERSITY SYSTEM OF MARYLAND, MORGAN STATE UNIVERSITY, OR ST. MARY'S COLLEGE OF MARYLAND;

(20) A POLICE EMPLOYEE AS DEFINED IN § 2-101 OF THE PUBLIC SAFETY ARTICLE;

(21) A MARYLAND STATE POLICE CADET;

(22) A CORRECTIONAL OFFICER SERVING IN ANY OF THE FIRST SIX JOB CLASSIFICATIONS;

(23) A SECURITY ATTENDANT AT THE CLIFTON T. PERKINS HOSPITAL CENTER;

(24) A DETENTION CENTER OFFICER EMPLOYED BY A PARTICIPATING GOVERNMENTAL UNIT THAT, ON OR AFTER JULY 1, 2013, HAS ELECTED TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM;

(25) A CORRECTIONAL DIETARY, MAINTENANCE, LAUNDRY, OR SUPPLY OFFICER;

(26) A MARYLAND CORRECTIONAL ENTERPRISES OFFICER, OFFICER TRAINEE, PLANT SUPERVISOR, PLANT MANAGER, OR REGIONAL MANAGER;

(27) AN EMPLOYEE OF THE DEPARTMENT OF NATURAL RESOURCES COMMISSIONED BY THE SECRETARY OF NATURAL RESOURCES AS:

(I) A NATURAL RESOURCES POLICE OFFICER; OR

(II) A LAW ENFORCEMENT OFFICER OTHER THAN A NATURAL RESOURCES POLICE OFFICER;

(28) A LAW ENFORCEMENT OFFICER EMPLOYED BY THE FIELD ENFORCEMENT BUREAU;

(29) A MEMBER OF THE MARYLAND TRANSPORTATION AUTHORITY POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 4-208 OF THE TRANSPORTATION ARTICLE;

(30) A DEPUTY SHERIFF EMPLOYED BY THE BALTIMORE CITY SHERIFF'S DEPARTMENT;

(31) A MEMBER OF THE UNIVERSITY OF MARYLAND POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 13-601 OF THE EDUCATION ARTICLE;

(32) A LAW ENFORCEMENT OFFICER OR FIREFIGHTER EMPLOYED BY A PARTICIPATING GOVERNMENTAL UNIT THAT, ON OR AFTER JULY 1, 2013, HAS ELECTED TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM;

(33) THE STATE FIRE MARSHAL OR A DEPUTY STATE FIRE MARSHAL;

(34) A MEMBER OF THE MORGAN STATE UNIVERSITY POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 14-106 OF THE EDUCATION ARTICLE;

(35) A MEMBER OF THE BWI AIRPORT FIRE & RESCUE DEPARTMENT;

(36) A MEMBER OF THE DEPARTMENT OF GENERAL SERVICES POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 4-605 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;

(37) AN EMPLOYEE OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE COMMISSIONED BY THE SECRETARY OF HEALTH AND MENTAL HYGIENE AS A HEALTH AND MENTAL HYGIENE POLICE OFFICER;

(38) AN EMPLOYEE OF THE MOTOR VEHICLE ADMINISTRATION COMMISSIONED BY THE SECRETARY OF TRANSPORTATION AS A MOTOR VEHICLE ADMINISTRATION POLICE OFFICER;

(39) AN EMPLOYEE OF THE DEPARTMENT OF LABOR, LICENSING, AND REGULATION COMMISSIONED BY THE SECRETARY OF LABOR, LICENSING, AND REGULATION AS A LABOR, LICENSING, AND REGULATION POLICE OFFICER;

(40) A FIREFIGHTER OR LAW ENFORCEMENT OFFICER FOR THE MARTIN STATE AIRPORT EMPLOYED BY THE MILITARY DEPARTMENT;

(41) A POLICE OFFICER EMPLOYED BY THE DIVISION OF REHABILITATION SERVICES IN THE DEPARTMENT OF EDUCATION, CERTIFIED

IN ACCORDANCE WITH THE MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSION;

(42) A FIREFIGHTER OR PARAMEDIC EMPLOYED BY THE SALISBURY FIRE DEPARTMENT WHO IS ELIGIBLE TO BE A MEMBER OF A PARTICIPATING GOVERNMENTAL UNIT, AS PROVIDED IN TITLE 31, SUBTITLE 2A OF THIS ARTICLE;

(43) AN AVIATOR EMPLOYED BY THE DEPARTMENT OF STATE POLICE TO OPERATE AN AIRCRAFT FOR THE STATE EMERGENCY MEDICAL SYSTEM;

(44) A MEMBER OF THE MARYLAND TRANSIT ADMINISTRATION POLICE FORCE WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 7-207 OF THE TRANSPORTATION ARTICLE;

(45) A MEMBER OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES INTERNAL INVESTIGATIVE UNIT WHO HAS THE POWERS GRANTED TO A POLICE OFFICER UNDER § 10-701 OF THE CORRECTIONAL SERVICES ARTICLE;

(46) A POLICE OFFICER EMPLOYED BY THE BALTIMORE CITY COMMUNITY COLLEGE WHO HAS THE POWER GRANTED TO A POLICE OFFICER UNDER § 16-513 OF THE EDUCATION ARTICLE;

(47) A JUDGE OF THE COURT OF APPEALS, THE COURT OF SPECIAL APPEALS, A CIRCUIT COURT OF A COUNTY, OR THE DISTRICT COURT OF MARYLAND; OR

(48) A MEMBER OF THE STATE WORKERS' COMPENSATION COMMISSION.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION WHO BECOMES AN EMPLOYEE OF A SUPERVISING EMPLOYER ON OR AFTER JULY

1, 2013, IS A MEMBER OF THE OPTIONAL RETIREMENT PROGRAM AS A CONDITION OF EMPLOYMENT.

(2) (I) MEMBERSHIP IN THE OPTIONAL RETIREMENT PROGRAM IS OPTIONAL FOR:

1. A MEMBER OF THE FACULTY OF AN EMPLOYING INSTITUTION ON JUNE 30, 2013;

2. A PROFESSIONAL EMPLOYEE AT A COMMUNITY COLLEGE OR REGIONAL COMMUNITY COLLEGE, ESTABLISHED UNDER TITLE 16 OF THE EDUCATION ARTICLE, ON JUNE 30, 2013;

3. AN EMPLOYEE OF THE UNIVERSITY SYSTEM OF MARYLAND WHO IS IN A POSITION DESIGNATED AS EXEMPT UNDER A POLICY ADOPTED BY THE UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS ON JUNE 30, 2013;

4. AN EMPLOYEE OF MORGAN STATE UNIVERSITY WHO IS IN A POSITION DESIGNATED AS PROFESSIONAL OR ADMINISTRATIVE BY THE BOARD OF REGENTS OF MORGAN STATE UNIVERSITY ON JUNE 30, 2013;

5. AN EMPLOYEE OF ST. MARY'S COLLEGE OF MARYLAND WHO IS IN A POSITION DETERMINED BY THE BOARD OF TRUSTEES OF THE COLLEGE TO BE A PROFESSIONAL OR FACULTY POSITION ON JUNE 30, 2013; OR

6. AN EMPLOYEE OF THE MARYLAND HIGHER EDUCATION COMMISSION WHO IS IN A POSITION DETERMINED BY THE SECRETARY OF HIGHER EDUCATION TO BE A PROFESSIONAL POSITION ON JUNE 30, 2013.

(II) AN INDIVIDUAL DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO §§ 30-302 THROUGH 30-306 OF THIS SUBTITLE.

~~[(b)] (C)~~ (1) This subsection applies to an individual who:

(i) on August 22, 2004, was eligible to participate in the program; and

(ii) is in a position that, as of August 23, 2004, was reclassified by the University System of Maryland Board of Regents or the Board of Regents of Morgan State University and would no longer be eligible for participation in the program under subsection (a) of this section.

(2) An individual described under paragraph (1) of this subsection may continue to participate in the program if the individual:

(i) would otherwise be eligible for membership in a system under the State Retirement and Pension System; and

(ii) is employed by an employing institution.

30–302.

(a) An election to participate in the program shall be made by an eligible employee within 1 year of first becoming an eligible employee of [an employing institution] A SUPERVISING EMPLOYER.

(b) An eligible employee's election to participate in the program is a one-time irrevocable election.

30–303.

(a) An eligible employee shall elect to:

(1) join a pension or retirement system in accordance with the provisions of this Division II applicable to that system; or

(2) participate in the program.

(b) An eligible employee shall:

(1) make an election under this section in writing; and

(2) file the election with the Board of Trustees and the [employing institution] SUPERVISING EMPLOYER within 1 year of first becoming an eligible employee of [an employing institution] A SUPERVISING EMPLOYER.

(c) An eligible employee may not participate in the program if both the Board of Trustees and the [employing institution] SUPERVISING EMPLOYER have not received the eligible employee's written election required under subsection (b) of this section, within 1 year of first becoming an eligible employee with [an employing institution] A SUPERVISING EMPLOYER.

(d) The effective date of the election shall be the first day of the month after the election.

30-305.

(a) This section applies only to a State employee who becomes eligible to elect participation in the program if the employee is appointed, promoted, transferred, or reclassified to a position as an eligible employee.

(b) A State employee described in subsection (a) of this section may elect to participate in the program.

(c) An eligible employee shall:

(1) make an election under this section in writing; and

(2) file the election with the Board of Trustees and the [employing institution] SUPERVISING EMPLOYER within 1 year of first becoming an eligible employee of [an employing institution] A SUPERVISING EMPLOYER.

(d) An eligible employee may not participate in the program if both the Board of Trustees and the [employing institution] SUPERVISING EMPLOYER have not received the eligible employee's written election required under subsection (c) of this section, within 1 year of first becoming an eligible employee with [an employing institution] A SUPERVISING EMPLOYER.

30-307.

(e) A participating employee is ineligible for membership in a retirement system or pension system while the participating employee is employed in any eligible position by any [employing institution] SUPERVISING EMPLOYER.

31–101.

(a) In this subtitle the following words have the meanings indicated.

(c) “Effective date” means the date that an eligible governmental unit commenced or commences participation in an employees’ system OR THE OPTIONAL RETIREMENT PROGRAM.

(d) “Eligible governmental unit” means:

(1) a governmental unit that is eligible to participate in the employees’ systems under § 31–102 of this subtitle ON OR BEFORE JUNE 30, 2013; OR

(2) A GOVERNMENTAL UNIT THAT IS ELIGIBLE TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013.

31–102.

Subject to § 22–202(b) of this article, the governmental units that are eligible to participate in the employees’ systems OR THE OPTIONAL RETIREMENT PROGRAM are:

(1) a political subdivision of the State, including:

(i) a county;

(ii) a municipal corporation; and

(iii) a special taxing area; and

(2) the following governmental units:

(i) an agency on aging, as designated by the legislative body of the agency on aging;



- (ii) the Allegany County Transit Authority;
- (iii) subject to § 31–104 of this subtitle, the Baltimore Metropolitan Council;
- (iv) a board or commission created by an Act of the General Assembly for public purpose and not for the profit of a private person;
- (v) subject to § 31–105 of this subtitle, the Canal Place Preservation and Development Authority;
- (vi) the Chesapeake Bay Commission;
- (vii) a cooperative library commission;
- (viii) subject to § 31–103 of this subtitle, a community action agency, as designated by the legislative body of the community action agency;
- (ix) a fire department that receives any of its funds from or through a county, municipal corporation, special taxing area, or other political subdivision of the State;
- (x) the Health Planning Council of Appalachia;
- (xi) the Howard County Economic Development Authority;
- (xii) the Interstate Commission on the Potomac River Basin;
- (xiii) the Lower Shore Private Industry Council, Inc.;
- (xiv) the Maryland Environmental Service;
- (xv) subject to § 31–106 of this subtitle, the Maryland Stadium Authority;
- (xvi) a public library association or organization;
- (xvii) subject to § 31–106.2 of this subtitle, the St. Mary’s Nursing Center, Inc.;

(xviii) the Tri-County Council for Western Maryland, Inc.;

(xix) the Tri-County Council for Southern Maryland;

(xx) subject to § 31-107 of this subtitle, the University of Maryland Medical System Corporation;

(xxi) the Upper Potomac River Commission;

(xxii) subject to § 31-106.1 of this subtitle, the Maryland African American Museum Corporation; and

(xxiii) the Garrett County Office for Children, Youth and Families.

31-109.

Except as provided in § 31-110 of this subtitle, an employee of an eligible governmental unit is entitled to be a member of the Employees' Pension System if:

(1) (i) the employee is not a member of a local pension system; and

(ii) the legislative body of the eligible governmental unit approves participation of the eligible governmental unit in the Employees' Pension System **ON OR BEFORE JUNE 30, 2013**; or

(2) (i) the employee is a member of a local pension system;

(ii) at least 60% of the members of the local pension system petition to become members of the Employees' Pension System **ON OR BEFORE JUNE 30, 2013**; and

(iii) the legislative body of the eligible governmental unit approves participation of the eligible governmental unit in the Employees' Pension System **ON OR BEFORE JUNE 30, 2013**, as though the local pension system were not in operation.

**31-109.2.**

AN EMPLOYEE OF AN ELIGIBLE GOVERNMENTAL UNIT IS ENTITLED TO BE A MEMBER OF THE OPTIONAL RETIREMENT PROGRAM IF:

(1) (I) THE EMPLOYEE IS NOT A MEMBER OF A LOCAL PENSION SYSTEM OR STATE SYSTEM; AND

(II) THE LEGISLATIVE BODY OF THE ELIGIBLE GOVERNMENTAL UNIT APPROVES PARTICIPATION OF THE ELIGIBLE GOVERNMENTAL UNIT IN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013; OR

(2) (I) THE EMPLOYEE IS A MEMBER OF A LOCAL PENSION SYSTEM OR STATE SYSTEM;

(II) AT LEAST 60% OF THE MEMBERS OF THE LOCAL PENSION SYSTEM OR STATE SYSTEM PETITION TO BECOME MEMBERS OF THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013; AND

(III) THE LEGISLATIVE BODY OF THE ELIGIBLE GOVERNMENTAL UNIT APPROVES PARTICIPATION OF THE ELIGIBLE GOVERNMENTAL UNIT IN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013, AS THOUGH THE LOCAL PENSION SYSTEM OR STATE SYSTEM WERE NOT IN OPERATION.

31-109.3.

THE EFFECTIVE DATE OF PARTICIPATION FOR AN ELIGIBLE GOVERNMENTAL UNIT IS JULY 1 OF THE YEAR FOLLOWING THE FISCAL YEAR IN WHICH THE ELIGIBLE GOVERNMENTAL UNIT ELECTS TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM.

31-111.7.

IF AN EMPLOYEE OF A PARTICIPATING GOVERNMENTAL UNIT JOINS THE OPTIONAL RETIREMENT PROGRAM ON THE EFFECTIVE DATE, THE EMPLOYEE IS

NOT ENTITLED TO SERVICE CREDIT FOR EMPLOYMENT WITH THE PARTICIPATING GOVERNMENTAL UNIT BEFORE THE EFFECTIVE DATE.

31-112.1.

AN EMPLOYEE OF A PARTICIPATING GOVERNMENTAL UNIT WHO IS A MEMBER OF THE OPTIONAL RETIREMENT PROGRAM IS ENTITLED TO THE BENEFITS TO WHICH STATE EMPLOYEES ARE ENTITLED UNDER THAT SYSTEM.

31-113.

(a) Except as provided in subsection (b) of this section, the operation of the local pension system of an eligible governmental unit terminates on the effective date.

(b) (1) An eligible governmental unit may elect to continue to operate a local pension system after the effective date of participation in the Employees' Pension System OR THE OPTIONAL RETIREMENT PROGRAM to provide benefits to a person who:

(i) is receiving benefits from the local pension system;

(ii) is eligible to receive benefits from the local pension system on account of the person's previous employment by the eligible governmental unit; or

(iii) did not elect to join the Employees' Pension System under § 23-204(b) of this article.

(2) A person may not be enrolled in the local pension system of a participating governmental unit electing to continue to operate its system under paragraph (1) of this subsection if the person becomes employed or is rehired by the participating governmental unit on or after the effective date of participation of the participating governmental unit in the Employees' Pension System OR THE OPTIONAL RETIREMENT PROGRAM.

(c) The liability for the continuation of benefits under subsection (b) of this section shall be included in the computation of the special accrued liability as provided by § 21-305.3 of this article.

(d) (1) On the effective date:

(i) the assets to the credit of the local pension system of the participating governmental unit that are attributable to the employees of the participating governmental unit who elect to become members of the Employees' Pension System under § 23-204(b) of this article shall be transferred to the Employees' Pension System; and

(ii) the trustee or other administrative head of the local pension system shall certify the proportion of the funds of the local pension system that represents the accumulated contributions of the members as of that date.

(2) The accumulated contributions shall be credited to the respective annuity savings accounts of the members in the Employees' Pension System.

(3) Any balance of the funds transferred to the Employees' Pension System shall be offset against the special accrued liability to be funded by the participating governmental unit as provided by § 21-305.3 of this article.

31-2A-01.

(a) In this subtitle the following words have the meanings indicated.

(b) “Effective date” means the date that an eligible governmental unit commenced or commences participation in the Law Enforcement Officers' Pension System OR THE OPTIONAL RETIREMENT PROGRAM.

(c) “Eligible governmental unit” means:

(1) a governmental unit that is eligible to participate in the Law Enforcement Officers' Pension System under § 31-2A-02 of this subtitle ON OR BEFORE JUNE 30, 2013; OR

(2) A GOVERNMENTAL UNIT THAT IS ELIGIBLE TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013.

31-2A-02.

Subject to § 31–2A–03 of this subtitle, the governmental units that are eligible to participate in the Law Enforcement Officers’ Pension System OR THE OPTIONAL RETIREMENT PROGRAM are:

- (1) counties; and
- (2) municipal corporations.

31–2A–03.

(a) If at least 60% of the law enforcement officers of an eligible governmental unit who are members of a local pension system or State system petition to become members of the Law Enforcement Officers’ Pension System ON OR BEFORE JUNE 30, 2013, the legislative body of the eligible governmental unit may approve the participation of these law enforcement officers in the Law Enforcement Officers’ Pension System as though the local pension system were not in operation.

(b) If at least 60% of the firefighters and paramedics employed by the Salisbury Fire Department petition to become members of the Law Enforcement Officers’ Pension System ON OR BEFORE JUNE 30, 2013, the legislative body of the City of Salisbury, as an eligible governmental unit, may approve the participation of these firefighters and paramedics in the Law Enforcement Officers’ Pension System.

(c) If at least 60% of the firefighters of an eligible governmental unit who are members of a local pension system or State system petition to become members of the Law Enforcement Officers’ Pension System ON OR BEFORE JUNE 30, 2013, the legislative body of the eligible governmental unit may approve the participation of these firefighters in the Law Enforcement Officers’ Pension System as though the local pension system were not in operation.

31–2A–03.2.

**(A) IF AT LEAST 60% OF THE LAW ENFORCEMENT OFFICERS OF AN ELIGIBLE GOVERNMENTAL UNIT WHO ARE MEMBERS OF A LOCAL PENSION SYSTEM OR STATE SYSTEM PETITION TO BECOME MEMBERS OF THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013, THE LEGISLATIVE BODY OF THE ELIGIBLE GOVERNMENTAL UNIT MAY APPROVE THE PARTICIPATION OF THESE LAW ENFORCEMENT OFFICERS IN THE OPTIONAL RETIREMENT**

PROGRAM AS THOUGH THE LOCAL PENSION SYSTEM OR STATE SYSTEM WERE NOT IN OPERATION.

(B) IF AT LEAST 60% OF THE FIREFIGHTERS AND PARAMEDICS EMPLOYED BY THE SALISBURY FIRE DEPARTMENT PETITION TO BECOME MEMBERS OF THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013, THE LEGISLATIVE BODY OF THE CITY OF SALISBURY, AS AN ELIGIBLE GOVERNMENTAL UNIT, MAY APPROVE THE PARTICIPATION OF THESE FIREFIGHTERS AND PARAMEDICS IN THE OPTIONAL RETIREMENT PROGRAM.

(C) IF AT LEAST 60% OF THE FIREFIGHTERS OF AN ELIGIBLE GOVERNMENTAL UNIT WHO ARE MEMBERS OF A LOCAL PENSION SYSTEM OR STATE SYSTEM PETITION TO BECOME MEMBERS OF THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013, THE LEGISLATIVE BODY OF THE ELIGIBLE GOVERNMENTAL UNIT MAY APPROVE THE PARTICIPATION OF THESE FIREFIGHTERS IN THE OPTIONAL RETIREMENT PROGRAM AS THOUGH THE LOCAL PENSION SYSTEM OR STATE SYSTEM WERE NOT IN OPERATION.

31-2A-03.3.

THE EFFECTIVE DATE OF PARTICIPATION FOR AN ELIGIBLE GOVERNMENTAL UNIT IS JULY 1 OF THE YEAR FOLLOWING THE FISCAL YEAR IN WHICH THE ELIGIBLE GOVERNMENTAL UNIT ELECTS TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM.

31-2A-04.1.

IF A LAW ENFORCEMENT OFFICER, FIREFIGHTER, OR PARAMEDIC JOINS THE OPTIONAL RETIREMENT PROGRAM ON THE EFFECTIVE DATE, THE MEMBER IS NOT ENTITLED TO CREDIT FOR EMPLOYMENT WITH THE PARTICIPATING GOVERNMENTAL UNIT BEFORE THE EFFECTIVE DATE.

31-2A-05.

(a) If an eligible governmental unit approves participation in the Law Enforcement Officers' Pension System OR THE OPTIONAL RETIREMENT PROGRAM,

the operation of the local pension system or State system with respect to the law enforcement officers, firefighters, or paramedics terminates on the effective date.

(b) (1) On the effective date:

(i) the assets to the credit of the local pension system or State system that relate to the law enforcement officers, firefighters, or paramedics who elect to become members OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM shall be transferred to the Law Enforcement Officers' Pension System; and

(ii) the trustee or other administrative head of the local pension system or State system shall certify the proportion of the funds of the local pension system or State system that represents the accumulated contributions of the members as of that date.

(2) The accumulated contributions shall be credited to the respective annuity savings accounts of the members in the Law Enforcement Officers' Pension System.

(3) The balance of the funds transferred to the Law Enforcement Officers' Pension System shall be offset against the special accrued liability to be funded by the participating governmental unit as provided by § 21-306.1(d) of this article.

31-2B-01.

(a) In this subtitle the following words have the meanings indicated.

(b) "Effective date" means the date that an eligible governmental unit commenced or commences participation in the Correctional Officers' Retirement System OR THE OPTIONAL RETIREMENT PROGRAM.

(c) "Eligible governmental unit" means:

(1) a governmental unit that is eligible to participate in the Correctional Officers' Retirement System under § 31-2B-02 of this subtitle ON OR BEFORE JUNE 30, 2013; OR



**(2) A GOVERNMENTAL UNIT THAT IS ELIGIBLE TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013.**

**31-2B-02.**

Subject to § 31-2B-03 of this subtitle, the governmental units that are eligible to participate in the Correctional Officers' Retirement System OR THE OPTIONAL RETIREMENT PROGRAM are:

- (1) counties; and
- (2) municipal corporations.

**31-2B-03.**

If at least 60% of the local detention center officers of an eligible governmental unit who are members of a local pension system or State system petition to become members of the Correctional Officers' Retirement System ON OR BEFORE JUNE 30, 2013, the legislative body of the eligible governmental unit may approve the participation of these local detention center officers in the Correctional Officers' Retirement System as though the local pension system were not in operation.

**31-2B-03.2.**

**IF AT LEAST 60% OF THE LOCAL DETENTION CENTER OFFICERS OF AN ELIGIBLE GOVERNMENTAL UNIT WHO ARE MEMBERS OF A LOCAL PENSION SYSTEM OR STATE SYSTEM PETITION TO BECOME MEMBERS OF THE OPTIONAL RETIREMENT PROGRAM ON OR AFTER JULY 1, 2013, THE LEGISLATIVE BODY OF THE ELIGIBLE GOVERNMENTAL UNIT MAY APPROVE THE PARTICIPATION OF THESE LOCAL DETENTION CENTER OFFICERS IN THE OPTIONAL RETIREMENT PROGRAM AS THOUGH THE LOCAL PENSION SYSTEM OR STATE SYSTEM WERE NOT IN OPERATION.**

**31-2B-04.1.**

**IF A LOCAL DETENTION CENTER OFFICER JOINS THE OPTIONAL RETIREMENT PROGRAM ON THE EFFECTIVE DATE, THE MEMBER IS NOT**

ENTITLED TO CREDIT FOR EMPLOYMENT WITH THE PARTICIPATING GOVERNMENTAL UNIT BEFORE THE EFFECTIVE DATE.

31-2B-05.

(a) If an eligible governmental unit approves participation in the Correctional Officers' Retirement System OR THE OPTIONAL RETIREMENT PROGRAM, the operation of the local pension system or State system with respect to the local detention center officers terminates on the effective date.

(b) (1) On the effective date:

(i) the assets to the credit of the local pension system or State system that relate to the local detention center officers who elect to become members OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM shall be transferred to the Correctional Officers' Retirement System; and

(ii) the trustee or other administrative head of the local pension system or State system shall certify the proportion of the funds of the local pension system that represents the accumulated contributions of the members as of that date.

(2) The accumulated contributions shall be credited to the respective annuity savings accounts of the members in the Correctional Officers' Retirement System.

(3) The balance of the funds transferred to the Correctional Officers' Retirement System shall be offset against the special accrued liability to be funded by the participating governmental unit as provided by § 21-306.1(d) of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) This section applies to any individual who:

(1) served as Governor on or before January 20, 2015; and

(2) serves as Governor on or after January 21, 2015.

(b) An individual described under subsection (a) of this section shall receive a retirement allowance equal to:

(1) one-third of the annual salary received by the current Governor;  
and

(2) any benefit accrued on or after January 21, 2015, in the optional retirement program as provided under Title 30 of the State Personnel and Pensions Article.”;

and in line 4, strike “2.” and substitute “3.”.

The preceding 2 amendments were withdrawn.

Read the second time and ordered prepared for Third Reading.

### **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

**Senate Bill 476 – Senator Jones–Rodwell (Chair, Joint Committee on Pensions)**

AN ACT concerning

**State Retirement and Pension System – Unused Sick Leave Calculation – Clarification**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

### **THE COMMITTEE ON FINANCE REPORT #8**

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 278 – The President (By Request – Administration) and Senators Klausmeier, Kasemeyer, Miller, Currie, DeGrange, Ferguson, Forehand, Garagiola, King, Madaleno, Manno, McFadden, Middleton, Montgomery, Peters, Ramirez, Robey, and Young**

AN ACT concerning

**Maryland Employment Advancement Right Now (EARN) Program**

**SB0278/547472/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 278

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “King, Madaleno, Manno, McFadden, Middleton, Montgomery, Peters,” and substitute “Glassman, King, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pugh,”; and in line 15, after “circumstances;” insert “providing that certain intellectual property developed as a result of grants awarded under the Program remain in the public domain under certain circumstances;”.

AMENDMENT NO. 2

On page 7, after line 8, insert:

**“(D) TO THE EXTENT PRACTICABLE AND CONSISTENT WITH RELEVANT JUDICIAL OPINIONS AND STATUTORY LAW, ANY INTELLECTUAL PROPERTY DEVELOPED AS A RESULT OF A GRANT AWARDED UNDER THE MARYLAND EARN PROGRAM SHALL REMAIN IN THE PUBLIC DOMAIN.”**

AMENDMENT NO. 3

On page 8, in line 12, after “**(1)**” insert “**AN IDENTIFICATION OF TRAINING NEEDS STATEWIDE, INCLUDING INDUSTRIES IN URGENT NEED OF QUALIFIED WORKERS;**

**(2)**”;

in line 16, strike “**(2)**” and substitute “**(3)** **(1)**”; after line 18, insert:

**“(II) THE JURISDICTION OF THE STATE IN WHICH EACH STRATEGIC INDUSTRY PARTNERSHIP IS LOCATED;**”;

in line 19, strike “(3)” and substitute “(4)”; in line 20, strike “PARTICIPATING” and substitute “BY SEX, RACE, NATIONAL ORIGIN, INCOME, COUNTY OF RESIDENCE, AND EDUCATIONAL ATTAINMENT, PARTICIPATING”; in line 27, strike “PROMOTION” and substitute “PROMOTION; AND”; and after line 27, insert:

“(5) AN ASSESSMENT OF WHETHER AND TO WHAT EXTENT THE APPROVED STRATEGIC INDUSTRY PARTNERSHIPS UTILIZED EXISTING DATA CONCERNING:

(I) TRAINING NEEDS IN THE STATE IDENTIFIED IN PREVIOUS STUDIES; AND

(II) APPLICABLE SKILLS NEEDS IDENTIFIED IN EXISTING WORKFORCE STUDIES, PLANS, OR RESEARCH”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 305 – Chair, Finance Committee (By Request – Department of Legislative Services)**

AN ACT concerning

**Division of Labor and Industry and Associated Boards and Councils – Sunset Extension and Program Evaluation**

**SB0305/197774/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 305  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 28, after “requirement;” insert “altering the minimum number of times the State Board of Stationary Engineers is required to meet with and

consult the Board of Boiler Rules each year.”; and in lines 29 and 30, strike “a certain number of times a” and substitute “one time each”.

On page 2, after line 6, insert:

“BY repealing and reenacting, with amendments,  
Article – Business Occupations and Professions  
Section 6.5–204(b)  
Annotated Code of Maryland  
(2010 Replacement Volume and 2012 Supplement)”.

#### AMENDMENT NO. 2

On page 3, after line 25, insert:

“Article – Business Occupations and Professions

6.5–204.

(b) (1) The Board shall meet at least twice a year at a location and in an office provided by the State.

(2) The Board may hold special meetings as provided in its regulations.

(3) The Board shall meet with and consult the Board of Boiler Rules as necessary but [not less than two times] **AT LEAST ONE TIME** each year.”

On page 21, in line 17, strike “**NOT LESS THAN TWO TIMES**” and substitute “**AT LEAST ONE TIME**”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 334 – Senators Jones–Rodwell, Benson, Brinkley, Conway, Currie, Ferguson, Forehand, Frosh, Garagiola, Jacobs, Kasemeyer, Kelley,**

King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Muse, Peters, Pinsky, Pugh, Raskin, Reilly, Robey, Rosapepe, Stone, and Zirkin

AN ACT concerning

**Mammograms – Dense Breast Tissue – Notification**

**SB0334/647274/1**

BY: Finance Committee

AMENDMENTS TO SENATE BILL 334

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, Astle, Glassman, Pipken, and Ramirez”; in line 3, after “requiring” insert “, subject to a certain provision of law,”; and in line 5, after “circumstances,” insert “authorizing the Department of Health and Mental Hygiene, under certain circumstances, to adopt certain regulations to change the content of a certain notice; prohibiting a cause of action from arising from a failure to provide a certain notice; providing for the application and construction of this Act;”.

AMENDMENT NO. 2

On page 2, in line 27, after “(C)” insert “**(1) (I) THIS SECTION DOES NOT APPLY IF THE FEDERAL MAMMOGRAPHY QUALITY STANDARDS ACT OF 1992, OR REGULATIONS ADOPTED UNDER THE ACT, REQUIRES A NOTICE REGARDING BREAST DENSITY TO BE INCLUDED IN THE SCREENING RESULTS LETTER THAT IS SENT TO A PATIENT.**”

**(II) THIS SECTION MAY NOT BE CONSTRUED TO:**

**1. REQUIRE A NOTICE REGARDING BREAST DENSITY TO BE SENT TO A PATIENT THAT IS INCONSISTENT WITH THE PROVISIONS OF THE FEDERAL MAMMOGRAPHY QUALITY STANDARDS ACT OF 1992, OR REGULATIONS ADOPTED UNDER THE ACT; OR**

**2. CREATE A STANDARD OF CARE, OBLIGATION, OR DUTY THAT PROVIDES A BASIS FOR A CAUSE OF ACTION BEYOND THE DUTY TO PROVIDE A NOTICE AS REQUIRED BY PARAGRAPH (2) OF THIS SUBSECTION.**

**(2)**;

strike beginning with “**IF**” in line 27 down through the second “**THE**” in line 28 and substitute “**SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A CENTER WHERE**”; in line 28, strike “**WAS**” and substitute “**IS**”; in line 29, strike “**PROVIDE WRITTEN NOTIFICATION**” and substitute “**INCLUDE IN A SCREENING RESULTS LETTER THAT IS SENT**”; in the same line, strike the first “**THE**” and substitute “**A**”; in the same line, strike “**THAT INCLUDES**” and substitute “**, AS REQUIRED BY FEDERAL LAW,**”; in line 30, strike “**STATEMENT**” and substitute “**NOTICE**”; strike beginning with “**YOUR**” in line 30 down through “**DENSE**” in line 31 and substitute “**THIS NOTICE CONTAINS THE RESULTS OF YOUR RECENT MAMMOGRAM, INCLUDING INFORMATION ABOUT BREAST DENSITY.**

**IF YOUR MAMMOGRAM SHOWS THAT YOUR BREAST TISSUE IS DENSE, YOU SHOULD KNOW THAT DENSE**”;

in line 31, strike “**VERY**” and substitute “**A**”; in the same line, after “**COMMON**” insert “**FINDING**”; and in line 32, after “**ABNORMAL**” insert “**, WITH ABOUT HALF OF WOMEN HAVING DENSE OR HIGHLY DENSE BREASTS**”.

On page 3, in line 2, strike “**BREAST**”; in line 4, after “**AWARENESS**” insert “**AND TO INFORM YOUR CONVERSATIONS WITH YOUR PHYSICIAN**”; strike beginning with “**USE**” in line 4 down through “**RISK**” in line 7 and substitute “**TOGETHER, YOU CAN DECIDE WHICH SCREENING OPTIONS ARE RIGHT FOR YOU BASED ON YOUR MAMMOGRAM RESULTS, INDIVIDUAL RISK FACTORS, OR PHYSICAL EXAMINATION**”; in line 7, strike “**DOCTOR**” and substitute “**PHYSICIAN**”; and after line 7, insert:

**(3) IF THE DEPARTMENT FINDS SIGNIFICANT DIFFERENCES BETWEEN THE CONTENT OF THE NOTICE THAT IS REQUIRED TO BE PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION AND CURRENT MEDICAL EVIDENCE ON BREAST DENSITY, THE DEPARTMENT MAY ADOPT REGULATIONS THAT CHANGE THE CONTENT OF THE NOTICE.**



**(4) A CAUSE OF ACTION MAY NOT ARISE FROM A FAILURE TO PROVIDE THE NOTICE THAT IS REQUIRED TO BE PROVIDED UNDER PARAGRAPH (2) OF THIS SUBSECTION.”.**

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably:

**Senate Bill 346 – Senator Kelley**

AN ACT concerning

**Innovations in Aging Services Program – Commission on Aging – Responsibilities**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance reported favorably with amendments:

**Senate Bill 380 – Senators Muse, Colburn, Conway, Dyson, Ferguson, Jacobs, Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pugh, Raskin, Simonaire, Stone, Young, and Zirkin**

AN ACT concerning

**Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer**

**SB0380/567379/1**

BY: Finance Committee

**AMENDMENTS TO SENATE BILL 380**

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Zirkin” and substitute “Zirkin, Astle, Garagiola, Glassman, Kelley, Kittleman, and Ramirez”; and in line 7, after “certain” insert “legislators and”.

#### AMENDMENT NO. 2

On page 2, in line 4, after “include” insert “:

(i) one member of the Senate of Maryland, appointed by the President of the Senate;

(ii) one member of the House of Delegates, appointed by the Speaker of the House; and

(iii)”;

in line 6, strike “legislators,”; and in line 7, after “workgroup” insert “described in paragraph (1)(iii) of this subsection”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

### **THE COMMITTEE ON RULES REPORT #2**

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Finance:

#### **Senate Bill 833 – Senator Brinkley**

AN ACT concerning

#### **Frederick County – Exemption from State Procurement Laws Concerning Minority Business Enterprises and Prevailing Wage Rates**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs and the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 837 – Senator Young**

AN ACT concerning

**Health Occupations Boards – Disciplinary Procedures – Prohibition on Stays**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 838 – Senators Young, Montgomery, Rosapepe, and Shank**

AN ACT concerning

**Educational Institutions – Personal Electronic Account – Privacy Protection**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 840 – Senator Stone**

AN ACT concerning

**Voting – Notice of Election by Specimen Ballot**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 841 – The President (By Request – Administration) and Senators Benson, Conway, Currie, Garagiola, Kelley, King, Klausmeier, Madaleno, Manno, McFadden, Montgomery, Muse, Pinsky, Pugh, Ramirez, and Stone**

AN ACT concerning

**Higher Education Fair Share Act**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 842 – Senator Kittleman**

AN ACT concerning

**State Highway and Road Construction – Forward-Funded Projects –  
Reimbursement of Political Subdivisions**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 843 – Senator Pugh**

AN ACT concerning

**State Employee and Retiree Health and Welfare Benefits Program – Health  
Improvement and Cost Savings Act of 2013**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 844 – Senator Getty**

AN ACT concerning

**Public Information Act – Electronic Mail Addresses – Web Site Notice**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 845 – Senator Getty**

AN ACT concerning

**Public Information Act – Required Denials – Electronic Mail Addresses**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 846 – Senator Conway**

AN ACT concerning

**Courts – Baltimore City Sheriff and Fees for Filing and Service of Process**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 847 – Senator Stone**

AN ACT concerning

**Criminal Law – Motor Vehicles – Criminal Negligence Resulting in Death**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 848 – Carroll County Senators**

AN ACT concerning

**Carroll County – Alcoholic Beverages – License Fees**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 849 – Senators Ramirez, Colburn, Currie, King, Madaleno, Manno, and Middleton**

AN ACT concerning

**Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility Bills**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 850 – Senators Forehand and Raskin**

AN ACT concerning

**Vehicle Laws – Accidents Resulting in Injury – Mandatory Drug and Alcohol Testing**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 852 – Senators Ramirez and Kelley**

AN ACT concerning

**Consumer Protection – Sales of Goods and Services – Receipt Requirements**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 853 – Senator Ramirez**

AN ACT concerning

**Utility Companies – Removal of Lines from Utility Poles**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 854 – Senator Edwards**

AN ACT concerning

**Environment – Gas and Oil Drilling – Financial Assurance**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 855 – Senator Getty**

AN ACT concerning

**Public Schools – Collection of Biometric Information from Students –  
Prohibited**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 856 – Senator Montgomery**

AN ACT concerning

**Education – Public School Holidays – Easter Monday**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 857 – Senators Miller, Astle, Benson, Brinkley, Brochin, Colburn, Conway, Currie, DeGrange, Dyson, Edwards, Ferguson, Forehand, Frosh, Garagiola, Getty, Glassman, Jacobs, Jennings, Jones-Rodwell, Kasemeyer, Kelley, King, Kittleman, Klausmeier, Madaleno, Manno, Mathias, McFadden, Middleton, Montgomery, Peters, Pinsky, Pipkin, Pugh, Ramirez, Raskin, Reilly, Robey, Rosapepe, Shank, Simonaire, Stone, Young, and Zirkin**

AN ACT concerning

**Commission on the Establishment of a Maryland Educators Service  
Memorial**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 858 – Senator Simonaire**

AN ACT concerning

**State Racing Commission – Ejections from Race Tracks – Appeals**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 859 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)**

AN ACT concerning

**Maryland Personal Information Protection Act – Revisions**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 860 – Senator Zirkin**

AN ACT concerning

**State Birds – Oriole and Raven**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 861 – Senator Zirkin**

AN ACT concerning

**Crimes – Committing a Crime of Violence in the Presence of a Minor – Penalties**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:



**Senate Bill 862 – Senator Zirkin**

AN ACT concerning

**Real Property – Easements – Natural Gas Pipelines**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 863 – Senator Zirkin**

AN ACT concerning

**Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

**Senate Bill 864 – Senator Zirkin**

AN ACT concerning

**Public Safety – Gas Pipelines – Gas Leak Response**

The bill was re-referred to the Committee on Finance.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 865 – Senator Zirkin**

AN ACT concerning

**Correctional Services – Good Conduct Credits – Firearm Related Crime**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 866 – Senator Middleton**

AN ACT concerning

**Maryland Consolidated Capital Bond Loan of 2012 – Charles County – Indian Head Center for the Arts**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 867 – Senator Middleton**

AN ACT concerning

**Creation of a State Debt – Charles County – Melwood Recreation Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 868 – Senator Middleton**

AN ACT concerning

**Creation of a State Debt – Charles County – Children’s Aid Society Building Addition**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 870 – Senator McFadden**

AN ACT concerning

**Creation of a State Debt – Baltimore City – Mount Pleasant Family Life Center**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 871 – Senator Jacobs**

AN ACT concerning

**Criminal Procedure – Venue for Prosecution of False Statements Concerning Destructive Devices or Toxic Materials**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 872 – Senator Jacobs**

AN ACT concerning

**Criminal Procedure – Venue for Prosecution of Murder and Manslaughter**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

**Senate Bill 873 – Senator Glassman**

AN ACT concerning

**Vehicle Emissions Inspection Program – Alternate Tests and Inspections**

The bill was re-referred to the Committee on Judicial Proceedings.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Budget and Taxation:

**Senate Bill 874 – Senator Astle**

AN ACT concerning

**Creation of a State Debt – Anne Arundel County – Mayo Civic Association Community Hall**

The bill was re-referred to the Committee on Budget and Taxation.

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

**Senate Bill 875 – Senator Conway**

AN ACT concerning

**Maryland Oil Disaster Containment, Clean-Up and Contingency Fund and  
Oil Contaminated Site Environmental Cleanup Fund**

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

**MOTION**

Senator Kelley moved, duly seconded, that the Senate receive in Open Session the following Report from the Committee on Executive Nominations.

The motion was adopted.

**SENATE EXECUTIVE NOMINATIONS COMMITTEE REPORT #3**

The Senate Executive Nominations Committee reports favorably on the attached gubernatorial appointments and recommends that the Senate of Maryland advise and consent to these appointments.

Delores G. Kelley  
Chair

Senate Executive Nominations Committee  
Report #3  
February 14, 2013

**Certified Interior Designers, State Board of**

1. Danielle M. Bush Marsalek District 5  
7 Copewood Court  
Millers, MD 21102

Member of the State Board of Certified Interior Designers; appointed to serve a term of three years from July 1, 2010

**Community Health Resources Commission, Maryland**

2. Charlene M. Dukes, Ed.D. District 23  
10602 Wood Pointe Terrace  
Glenn Dale, MD 20769

Member of the Maryland Community Health Resources Commission; appointed to serve a term of four years from July 1, 2011

3. Kendall D. Hunter District 16  
8220 Coach Street  
Potomac, MD 20854
- Member of the Maryland Community Health Resources Commission;  
reappointed to serve a term of four years from July 1, 2010
4. William Jaquis, M.D. District 46  
1216 S. Bouldin Street  
Baltimore, MD 21224
- Member of the Maryland Community Health Resources Commission; appointed  
to serve remainder of a term of four years from July 1, 2009
5. Paula Brooks McLellan District 9  
4533 Doncaster Drive  
Ellicott City, MD 21043
- Member of the Maryland Community Health Resources Commission;  
reappointed to serve a term of four years from July 1, 2012

#### **Economic Development Corporation Board of Directors, Maryland**

6. Barbara G. Buehl District 1  
20020 Potomac Overlook S.E.  
Oldtown, MD 21555
- Member of the Maryland Economic Development Corporation Board of  
Directors; reappointed to serve a term of four years from July 1, 2012

#### **Elections, State Board of**

7. Patrick H. Murray District 46  
3114 East Baltimore Street  
Baltimore, MD 21224
- Member of the State Board of Elections; appointed to serve remainder of a term  
of four years from July 1, 2009

#### **Environmental Health Specialists, State Board of**

8. Linda Rudie District 32  
309 Sheridan Drive  
Glen Burnie, MD 21061
- Member of the State Board of Environmental Health Specialists; appointed to

serve remainder of a term to expire June 30, 2015

### **Food Center Authority, Maryland**

9. Michael T. Isen District 15  
9201 Marseille Drive  
Potomac, MD 20854

Member of the Maryland Food Center Authority; reappointed to serve a term of five years from July 1, 2011

### **Health and Mental Hygiene, Board of Review of the Department of**

10. Charles J. Gast District 33  
844 Sunny Chapel Road  
Odenton, MD 21113

Member of the Board of Review of the Department of Health and Mental Hygiene; appointed to serve remainder of a term of three years from July 1, 2011

### **Health Care Commission, Maryland**

11. Paul Fronstin District 17  
102 Massbury Street  
Gaithersburg, MD 20878

Member of the Maryland Health Care Commission; appointed to serve remainder of a term of four years from October 1, 2011

### **Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors, State Board of**

12. Fontaine W. Smallwood District 45  
3518 Elmley Avenue  
Baltimore, MD 21213

Member of the State Board of Heating, Ventilation, Air-Conditioning, and Refrigeration Contractors; appointed to serve a term of three years from January 1, 2012

### **Heritage Areas Authority, Maryland**

13. Pete Leshner District 37  
P.O. Box 144  
St. Michaels, MD 21663

Member of the Maryland Heritage Areas Authority; appointed to serve a term of four years from October 1, 2012

### **Higher Education Commission, Maryland**

14. Lisa Marie Latour District 17  
420 Kent Square Road  
Gaithersburg, MD 20878

Member of the Maryland Higher Education Commission; appointed to serve a term of one year from July 1, 2012

### **Historical Trust, Board of Trustees of the Maryland**

15. Charles A. Stek District 14  
18611 Mink Hollow Road  
Highland, MD 20777

Member of the Board of Trustees of the Maryland Historical Trust; appointed to serve a term of four years from July 1, 2012

### **Infants and Toddlers, Interagency Coordinating Council for**

16. Marcelle Franczkowski District 9  
3005 Pebble Beach Drive  
Columbia, MD 21042

Member of the Interagency Coordinating Council for Infants and Toddlers; appointed to serve remainder of a term of three years from July 1, 2009

### **Labor Relations Board, State**

17. Susie C. Jablinske District 30  
109 Maple Lane  
Annapolis, MD 21403

Member of the State Labor Relations Board; reappointed to serve a term of six years from July 1, 2012

### **Lottery and Gaming Control Commission, State**

18. F. Vernon Boozer, Esq. District 5  
1106 Lower Glencoe Road  
Sparks, MD 21152

Member of the State Lottery and Gaming Control Commission; appointed to serve a term to expire September 30, 2013

19. Bert J. Hash, Jr. District 9  
11705 Farside Road  
Ellicott City, MD 21042  
  
Member of the State Lottery and Gaming Control Commission; appointed to serve a term to expire September 30, 2016
20. E. Randolph Marriner District 30  
1920 Hidden Point Road  
Annapolis, MD 21409  
  
Member of the State Lottery and Gaming Control Commission; appointed to serve a term to expire September 30, 2014
21. Diane L. McGraw District 38  
7 Central Parke West  
Ocean Pines, MD 21811  
  
Member of the State Lottery and Gaming Control Commission; appointed to serve a term to expire September 30, 2016
22. Kimberly Robertson Pannell District 26  
910 Othman Drive  
Fort Washington, MD 20744  
  
Member of the State Lottery and Gaming Control Commission; appointed to serve a term to expire September 30, 2017

### **Marine Contractors Licensing Board**

23. Jordan R. Loran District 42  
6701 Parkway Road  
Idlewylde, MD 21239  
  
Member of the Marine Contractors Licensing Board; appointed to serve remainder of a term of three years from October 1, 2010

### **Maryland Legal Services Corporation Board of Directors**

24. M. Natalie McSherry, Esq. District 41  
5705 Roland Avenue  
Baltimore, MD 21210  
  
Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a term of three years from July 1, 2012



25. Mark F. Scurti, Esq. District 41  
3101 Tilden Drive  
Baltimore, MD 21211

Member of the Maryland Legal Services Corporation Board of Directors; appointed to serve a term of three years from July 1, 2012

#### **Master Electricians, State Board of**

26. Brett H. Warner District 32  
7637 9th Court  
Glen Burnie, MD 21061

Member of the State Board of Master Electricians; appointed to serve remainder of a term of three years from July 1, 2011

#### **Morticians and Funeral Directors, State Board of**

27. Ahmed A. Elzaree, M.D. District 22  
9145 Lanham Severn Road  
Lanham, MD 20706

Member of the State Board of Morticians and Funeral Directors; appointed to serve remainder of a term of four years from July 1, 2009

#### **Professional Land Surveyors, State Board for**

28. Brian M. Dunne District 11  
10 Hillis Court  
Lutherville, MD 21093

Member of the State Board for Professional Land Surveyors; appointed to serve remainder of a term of five years from July 1, 2009

29. Daniel P. Lavelle District 3  
9791 Chestnut Oak Court  
Frederick, MD 21701

Member of the State Board for Professional Land Surveyors; reappointed to serve a term of five years from July 1, 2012

#### **Statewide Nominees**

**Please Note:** Statewide nominees who, in accordance with the policies adopted by the Senate Executive Nominations Committee, are not required to appear before the committee.

**Affordable Housing Trust Board of Trustees, Maryland**

S-1. Paul K. Casey, Esq.  
4037 Dado Court  
Ellicott City, MD 21042

District 12

Member of the Maryland Affordable Housing Trust Board of Trustees;  
reappointed to serve a term of four years from October 1, 2012

S-2. Elizabeth S. Glenn  
1308 Nautical Circle  
Essex, MD 21221

District 6

Member of the Maryland Affordable Housing Trust Board of Trustees;  
reappointed to serve a term of four years from October 1, 2012

S-3. Dale R. McArdle  
2101 Uffington Road  
Baltimore, MD 21209

District 41

Member of the Maryland Affordable Housing Trust Board of Trustees;  
reappointed to serve a term of four years from October 1, 2011

S-4. Alice G. Pinderhughes, Esq.  
3521 Hilton Road  
Baltimore, MD 21215

District 40

Member of the Maryland Affordable Housing Trust Board of Trustees;  
reappointed to serve a term of four years from October 1, 2012

S-5. Linda L. Rose  
516 Bingham Court  
Millersville, MD 21108

District 33

Member of the Maryland Affordable Housing Trust Board of Trustees;  
reappointed to serve a term of four years from October 1, 2011

S-6. Albert Winchester, III  
P.O. 129, 4840 Riverside Drive  
Galesville, MD 20765

District 30

Member of the Maryland Affordable Housing Trust Board of Trustees;  
reappointed to serve a term of four years from October 1, 2011

**Assistive Technology Loan Program Board of Directors**

S-7. Joel S. Zimba

District 40

2824 St. Paul Street, Apt. 1  
Baltimore, MD 21218

Member of the Assistive Technology Loan Program Board of Directors;  
appointed to serve a term of four years from October 1, 2011

### **Community Health Resources Commission, Maryland**

S-8. Nelson Sabatini District 31  
391 South Drive  
Severna Park, MD 21146

Member of the Maryland Community Health Resources Commission;  
reappointed to serve a term of four years from July 1, 2011

S-9. Maria Harris Tildon, Esq. District 41  
5616 Cross Country Boulevard  
Baltimore, MD 21209

Member of the Maryland Community Health Resources Commission;  
reappointed to serve a term of four years from July 1, 2011

### **Health and Mental Hygiene, Board of Review of the Department of**

S-10. Joy C. Naden District 41  
20 Cross Keys Road  
Baltimore, MD 21210

Member of the Board of Review of the Department of Health and Mental  
Hygiene; reappointed to serve a term of three years from July 1, 2012

### **Health Care Commission, Maryland**

S-11. John E. Fleig, Jr. District 27  
1120 Jewell Road  
Dunkirk, MD 20754

Member of the Maryland Health Care Commission; reappointed to serve a term  
of four years from October 1, 2012

S-12. Kenny W. Kan District 13  
12823 Macbeth Farm Lane  
Clarksville, MD 21029

Member of the Maryland Health Care Commission; reappointed to serve a term  
of four years from October 1, 2012

S–13. Robert L. Lyles, Jr., M.D. District 30  
923 Childs Point Road  
Annapolis, MD 21401

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2012

S–14. Craig P. Tanio, M.D. District 5  
15610 Chilcoat Lane  
Sparks, MD 21152

Member of the Maryland Health Care Commission; reappointed to serve a term of four years from October 1, 2012

#### **Judicial Disabilities, Commission on**

S–15. Susan J. Matlick District 13  
6896 Mink Hollow Road  
Highland, MD 20777

Member of the Commission on Judicial Disabilities; reappointed to serve a term to expire December 31, 2015

#### **Labor Relations Board, Public School**

S–16. Charles I. Ecker District 12  
5002 Durham Road East  
Columbia, MD 21044

Member of the Public School Labor Relations Board; reappointed to serve a term of five years from July 1, 2012

#### **Land Reclamation Committee**

S–17. Timothy J. Carney District 1  
13900 Bald Knob Road  
Mount Savage, MD 21545

Member of the Land Reclamation Committee; reappointed to serve a term of three years from July 1, 2012

#### **Professional Land Surveyors, State Board for**

S–18. John F. Jensen District 34

310 Goldeneye Court  
Havre de Grace, MD 21078

Member of the State Board for Professional Land Surveyors; reappointed to serve a term of five years from July 1, 2012

Senator Kelley moved, duly seconded, to make the Report a Special Order for February 15, 2013.

The motion was adopted.

### MOTION

Senator Kittleman moved, duly seconded, to offer the following amendment to **Senate Rule 35**.

Senate Rule 35. Scheduling of Committee Meetings

(a) A committee may not meet while the Senate is in session without special leave of the President.

(b) The President may designate days or periods of hours during which special and select committees may meet, and during these times the standing committees may not meet.

(c) The Department of Legislative Services shall compile a list of the meetings scheduled by the committees and distribute it periodically.

(d) All committee hearings AND VOTING SESSIONS shall be audio recorded unless otherwise directed by the committee chairman.

The preceding proposed change to **Senate Rule 35** was read and rejected by roll call vote as follows:

Affirmative – 6    Negative – 41    (See Roll Call No. 195)

### MOTION

Senator Pipkin moved, duly seconded, to offer the following amendment to **Senate Rule 35**.

Senate Rule 35. Scheduling of Committee Meetings

(a) A committee may not meet while the Senate is in session without special leave of the President.

(b) The President may designate days or periods of hours during which special and select committees may meet, and during these times the standing committees may not meet.

(c) The Department of Legislative Services shall compile a list of the meetings scheduled by the committees and distribute it periodically.

(d) All committee meetings shall be audio recorded unless otherwise directed by the committee chairman.

(E) IF THE PRESIDENT, ON THE PRESIDENT'S OWN INITIATIVE OR AT THE REQUEST OF TWO OR MORE MEMBERS, DESIGNATES A BILL TO BE OF EXTRAORDINARY PUBLIC INTEREST:

(1) WITNESSES WISHING TO TESTIFY AT THE COMMITTEE'S PUBLIC HEARING ON THE BILL SHALL BE ALLOWED TO SIGN UP VIA THE MARYLAND GENERAL ASSEMBLY'S WEBSITE BEFORE THE DAY OF THE HEARING; AND

(2) THE CHAIRMAN OF THE COMMITTEE TO WHICH THE BILL IS ASSIGNED SHALL ARRANGE AN ALTERNATIVE VENUE AND SCHEDULE ADDITIONAL TIME FOR THE BILL HEARING AS NECESSARY TO ACCOMMODATE ALL OF THE WITNESSES WISHING TO TESTIFY.

The preceding proposed change to **Senate Rule 35** was read and rejected by roll call vote as follows:

Affirmative – 9    Negative – 37    (See Roll Call No. 196)

### **SPECIAL ORDERS**

The presiding officer submitted the Special Orders of the day, as follows:

Senate Rule 116. Change in Rules

A motion, order, or resolution to repeal, to amend, or to add a new Rule to these Rules:

(1) May not be considered or acted upon unless it has been submitted in writing to the Senate, together with the written text of any proposal, at least one day prior to its presentation; and

(2) In order to be adopted, requires the affirmative vote of at least two-thirds of the Members elected to the Senate.

STATUS OF RULE: QUESTION IS ON THE ADOPTION OF SENATE RULE 116.

Senator Klausmeier moved, duly seconded, to adopt **Senate Rule 116**.

The motion was adopted.

### QUORUM CALL

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 197)

### THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

#### THIRD READING CALENDAR (SENATE BILLS) #14

**Senate Bill 43 – Senator Zirkin**

AN ACT concerning

**Courts – Evidence – Vehicle Repair Estimates**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43    Negative – 4    (See Roll Call No. 198)

The Bill was then sent to the House of Delegates.

**Senate Bill 57 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Labor, Licensing and  
Regulation)**

AN ACT concerning

**State Board of Individual Tax Preparers – Prohibited Acts – Civil Penalty**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 199)

The Bill was then sent to the House of Delegates.

**Senate Bill 69 – Chair, Budget and Taxation Committee (By Request –  
Departmental – Comptroller)**

AN ACT concerning

**Tobacco Products – Tobacco Tax – Exemptions and Penalties**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 1    (See Roll Call No. 200)

The Bill was then sent to the House of Delegates.

**Senate Bill 128 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 201)

The Bill was then sent to the House of Delegates.

**Senate Bill 129 – Senators Glassman and Jacobs**

**EMERGENCY BILL**

AN ACT concerning

**Harford County – Alcoholic Beverages – Class H-CC (Corporate  
Club/Conference Center) License**



Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 0    (See Roll Call No. 202)

The Bill was then sent to the House of Delegates.

**Senate Bill 131 – Senators Glassman, Jacobs, and Jennings**

AN ACT concerning

**Harford County Liquor Control Board – Reserve Account**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 203)

The Bill was then sent to the House of Delegates.

**Senate Bill 140 – ~~Senator Conway~~ Senators Conway and Benson**

AN ACT concerning

**State Finance and Procurement – Retention of Percentage of Contract – Security**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 204)

The Bill was then sent to the House of Delegates.

**Senate Bill 155 – Senator Mathias**

AN ACT concerning

**Somerset County – Sale of Small Boat Harbor Dock**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 205)

The Bill was then sent to the House of Delegates.

**Senate Bill 168 – Senator Simonaire**

AN ACT concerning

**Estates and Trusts – Guardianship Accounts – Form and Limits**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 206)

The Bill was then sent to the House of Delegates.

**Senate Bill 180 – Chair, Education, Health, and Environmental Affairs  
Committee (By Request – Departmental – Agriculture)**

AN ACT concerning

**Department of Agriculture – State Chemist Fund**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 207)

The Bill was then sent to the House of Delegates.

**Senate Bill 188 – Senators Pugh, Benson, Conway, Currie, Ferguson,  
Forehand, Gladden, Jones–Rodwell, Kelley, McFadden, Middleton,  
Montgomery, Muse, and Ramirez**

AN ACT concerning

**Minority Business Enterprises – Goals and Subgoals**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 208)

The Bill was then sent to the House of Delegates.

**Senate Bill 190 – ~~Senator Shank~~ Senators Shank and Simonaire**

AN ACT concerning

**State Government – Notary Public – Appointment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46    Negative – 1    (See Roll Call No. 209)

The Bill was then sent to the House of Delegates.

**Senate Bill 236 – The President (By Request – Department of Legislative Services)**

AN ACT concerning

**State Board of Foresters – Sunset Extension and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47    Negative – 0    (See Roll Call No. 210)

The Bill was then sent to the House of Delegates.

**Senate Bill 421 – Senator Frosh**

AN ACT concerning

**Circuit Court Clerks – Salary**

Read the third time and passed by yeas and nays as follows:

Affirmative – 38    Negative – 9    (See Roll Call No. 211)

The Bill was then sent to the House of Delegates.

**QUORUM CALL**

The presiding officer announced a quorum call, showing 47 Members present.

(See Roll Call No. 212)

**ADJOURNMENT**

At 11:17 A.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 11:00 A.M. on Friday, February 15, 2013.