

Journal of Proceedings
of the
Senate
of
Maryland

2013 Regular Session

Volume IV

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Donald G. Hopkins
Journal Clerk

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

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Annapolis, Maryland
Legislative Day: March 27, 2013
Calendar Day: Monday, April 1, 2013
8:00 P.M. Session

The Senate met at 8:07 P.M.

Prayer by Reverend Mark Adams, Christ Lutheran Church, guest of Senator Getty.

(See Exhibit A of Appendix III)

The Journal of March 26, 2013 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 846)

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 65	Ch., Finance Com.	Workers' Compensation – Claim Processing – Electronic Delivery of Decisions
SB 81	Ch., Finance Com.	Education and Workforce Training Coordinating Council for Correctional Institutions – Membership
SB 168	Sen. Simonaire	Estates and Trusts – Guardianship Accounts – Form and Limits
SB 196	Sen. Frosh	Register of Wills – Salary
SB 238	The President	State Board of Public Accountancy – Sunset Extension and Program

SB 262	Ch., Jud. Proceed.	Evaluation Task Force to Study Implementing a Civil Right to Counsel in Maryland
SB 360	Sen. Simonaire	Criminal Law – Aggravated Animal Cruelty – Baiting
SB 375	Sen. Middleton	Commercial Law – Maryland Credit Services Businesses Act – Scope
SB 421	Sen. Frosh	Circuit Court Clerks – Salary
SB 426	Sen. Simonaire	Anne Arundel County – Drug Free School Zones – Hotline Number on Signs
SB 441	Sen. Gladden	Correctional Training Commission – Members
SB 580	Sen. Raskin	Medical Marijuana – Caregiver – Affirmative Defense
SB 589	Sen. Pugh	Commercial Law – Consumer Protection – Rental–Purchase Transactions
SB 622	Sen. Raskin	Corporations and Associations – Document Filing and Processing

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 1009 – Delegate Reznik

AN ACT concerning

~~Medical Spa Facilities – Licensing Requirements~~ Cosmetic Surgical Facilities – Regulation

FOR the purpose of ~~prohibiting a medical spa facility from operating in the State unless the medical spa facility holds a license issued by the Secretary of Health and Mental Hygiene; requiring the Secretary to set certain application and renewal fees; requiring the Secretary to issue a license to an applicant that meets certain requirements; prohibiting the transfer of a license; requiring a license to be displayed in a certain manner; requiring an applicant for a license to pay a certain application fee and submit an application to the Secretary on a certain form; requiring the application to include certain items; requiring the~~

~~owner of a medical spa facility to submit an application and obtain a separate license for each medical spa facility to be operated; providing for the expiration and renewal of a license; requiring the Secretary to conduct a random inspection of each licensed medical spa facility with a certain frequency and for certain purposes; authorizing the Secretary to conduct certain inspections of a licensed medical spa facility for certain purposes; requiring a licensed medical spa facility to allow certain access; requiring the Secretary and a licensed medical spa facility to make the results of a certain inspection available to the public on request; requiring the Secretary to adopt regulations for certain purposes; authorizing the Secretary to deny a license and take certain actions relating to a license of a licensee under certain circumstances; requiring the Secretary to provide the opportunity for a hearing in accordance with the Administrative Procedure Act under certain circumstances; establishing certain penalties for violations of certain provisions of this Act or certain regulations; requiring the Secretary to adopt regulations that establish standards for the imposition of a certain penalty;~~ authorizing the Secretary of Health and Mental Hygiene to adopt certain regulations for cosmetic surgical facilities; authorizing the Secretary to investigate certain complaints relating to cosmetic surgical facilities; requiring certain complaints to be referred to certain health occupations boards; altering a certain definition; defining certain terms; and generally relating to licensing medical spa regulating cosmetic surgical facilities and the Secretary of Health and Mental Hygiene.

BY adding to

Article – Health – General

Section 19-3C-01 through ~~19-3C-09~~ 19-3C-03 to be under the new subtitle

“Subtitle 3C. ~~Medical Spa~~ Cosmetic Surgical Facilities”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 14-101(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

MESSAGE FROM THE EXECUTIVE

EXECUTIVE ORDER

01.01.2013.01

Proclaiming an Extended Session of the Maryland General Assembly

WHEREAS, I, Martin O'Malley, Governor of the State of Maryland, being advised that the Budget Bill has not been finally acted upon by the General Assembly seven days before the expiration of the 2013 regular Session of the General Assembly;

WHEREAS, Article III, Section 52 (10) of the Maryland Constitution provides that under these circumstances the Governor shall issue a proclamation extending the Session for a period as may, in the Governor's judgment, be necessary to allow for the passage of the Budget Bill; and

WHEREAS, Other matters may not be considered during such extended Session except a provision for the cost thereof.

NOW, THEREFORE, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND THE LAWS OF MARYLAND, DO HEREBY PROCLAIM THAT THE 2013 REGULAR SESSION OF THE MARYLAND GENERAL ASSEMBLY IS HEREBY EXTENDED, COMMENCING AT MIDNIGHT ON MONDAY, APRIL 8, 2013 IN THE STATE CAPITAL IN THE CITY OF ANNAPOLIS FOR THE PURPOSE OF PASSING THE STATE BUDGET BILL. THIS EXTENSION MAY NOT EXCEED TEN DAYS, OR SUCH OTHER PERIOD AS SPECIFIED BY AMENDMENT TO THIS EXECUTIVE ORDER.

GIVEN Under My Hand and the Great Seal of the State of Maryland, in the City of Annapolis, this 1st day of April, 2013.

Read and ordered journalized.

MESSAGE FROM THE EXECUTIVE

SUPPLEMENTAL BUDGET NO. 1 – FISCAL YEAR 2014

(See Exhibit F of Appendix III)

Supplemental Budget No. 1 read and referred to the Committee on Budget and Taxation.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #42**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 218 – Delegate George

AN ACT concerning

Physician Assistants – Performance of X-Ray Duties

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:

**House Bill 230 – Delegates Schulz, Afzali, Barkley, Clagett, Feldman,
Hershey, Hogan, Hough, Jacobs, McDermott, W. Miller, Olszewski, Otto,
Ready, and Smigiel**

AN ACT concerning

Alcoholic Beverages – Farm Breweries and Micro-Breweries

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:

**House Bill 813 – Delegates Kaiser, Eckardt, Arora, Bobo, Carr, Donoghue,
Frick, Guzzone, Haynes, Healey, Hubbard, Luedtke, McDonough,
A. Miller, Mitchell, Reznik, B. Robinson, F. Turner, V. Turner,
Valentino-Smith, Vitale, Waldstreicher, M. Washington, ~~and Zucker~~
Zucker, and Howard**

AN ACT concerning

**Task Force to Study the Impact of Expanding Credit and Noncredit Courses
for Students with Intellectual and Developmental Disabilities**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 813

(Third Reading File Bill)

On page 2, in line 12, after “(7)” insert “the President of a community college, appointed by the Maryland Association of Community Colleges, or the President’s designee;”; in line 14, before the first “the” insert “(8)”; in lines 16, 18, and 20, strike “(8)”, “(9)”, and “(10)”, respectively, and substitute “(9)”, “(10)”, and “(11)”, respectively; in line 21, after “designee;” insert “and”; and strike in their entirety lines 22 and 23, inclusive.

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:

House Bill 1301 – Delegate Jones

AN ACT concerning

State Board of Cosmetologists – Limited ~~Licenses~~ License – Hairstylist

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:

House Bill 830 – Delegate Rudolph

AN ACT concerning

Alternatives to the General Educational Development Tests – Study

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:

House Bill 1040 – Delegates Sophocleus, Beidle, Eckardt, Frush, Kipke, Love, McConkey, McMillan, and Wood

AN ACT concerning

Business Regulation – Secondhand Precious Metal Object Dealers and Pawnbrokers – Revisions

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:

House Bill 1499 – The Speaker (By Request – Commission to Study Campaign Finance Law) and Delegates Cardin, George, and Summers

AN ACT concerning

Campaign Finance Reform Act of 2013

HB1499/744738/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1499

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 18, after “contributions” insert “under certain circumstances; providing an exception”; in line 21, after “time,” insert “requiring certain participating organizations, as defined, making certain contributions or donations or certain disbursements to register with the State Board and file a certain report under certain circumstances; altering the deadline date for certain candidates to file a certificate of candidacy; altering the date by which the State Board shall certify the content and arrangement of a certain ballot;”; in line 32, after “date” insert “for certain provisions of this Act”; in line 35, after “2–102,” insert “5–303, 9–207(a),”; and in line 43, after “13–309.1,” insert “13–309.2,”.

AMENDMENT NO. 2

On pages 4 and 5, strike the lines beginning with line 32 on page 4 through line 9 on page 5, inclusive.

On page 6, strike in their entirety lines 25 through 32, inclusive.

On pages 7 and 8, strike the lines beginning with line 33 on page 7 through line 5 on page 8, inclusive.

On pages 9 and 10, strike the lines beginning with line 13 on page 9 through line 1 on page 10, inclusive.

On pages 14 through 16, strike the lines beginning with line 31 on page 14 through line 23 on page 16, inclusive.

On pages 32 and 33, strike the lines beginning with line 6 on page 32 through line 19 on page 33, inclusive.

On pages 37 through 42, strike the lines beginning with line 21 on page 37 through line 2 on page 42, inclusive.

On page 49, after line 20, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

1–101.

(BB–1) “LEGISLATIVE PARTY CAUCUS COMMITTEE” MEANS A POLITICAL COMMITTEE THAT IS ESTABLISHED TO PROMOTE THE ELECTION OF CANDIDATES OF A SINGLE POLITICAL PARTY TO ONE OF THE TWO HOUSES OF THE GENERAL ASSEMBLY.

(ff) “Political action committee” means a political committee that is not:

(1) a political party;

(2) a central committee;

(3) a slate;

(4) A LEGISLATIVE PARTY CAUCUS COMMITTEE;

~~[(4)]~~ (5) [a political committee organized and operated solely to support or oppose a single candidate] AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE; or

~~[(5)]~~ (6) [a political committee organized and operated solely to support or oppose] a ballot issue COMMITTEE.

5-303.

(a) Except as provided in subsections (b) and (c) of this section:

(1) in the year in which the Governor is elected, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday [following the second Tuesday in April in the year in] THAT IS 24 WEEKS BEFORE THE DAY ON which the primary election will be held; and

(2) for any other regularly scheduled election, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday that is 83 days before the day on which the primary election will be held.

(b) A certificate of candidacy for an office to be filled by a special election under this article shall be received and filed in the office of the appropriate board not later than 5 p.m. on the Monday that is 3 weeks or 21 days prior to the date for the special primary election specified by the Governor in the proclamation for the special primary election.

(c) The certificate of candidacy for the election of a write-in candidate shall be filed by the earlier of:

(1) 7 days after a total expenditure of at least \$51 is made to promote the candidacy by a campaign finance entity of the candidate; or

(2) 5 p.m. on the Wednesday preceding the day of the election for which the certificate is filed.

9-207.

(a) The State Board shall certify the content and arrangement of each ballot:

(1) for a primary election, no more than 11 days after the filing date provided in § 5-303 of this article;

(2) for a general election[;

(i) in the year that the President of the United States is elected], at least 55 days before the election[; and

(ii) in any other year, not more than 18 days after the primary election];

(3) for a special primary election, at least 18 days before the election;
and

(4) for a special general election, not later than a date specified in the Governor's proclamation.

13-202.

(a) Unless otherwise expressly authorized by law, all campaign finance activity for an election under this article shall be conducted through a campaign finance entity.

(b) An individual may not file a certificate of candidacy OR A DECLARATION OF INTENT UNDER § 5-703 OR § 5-703.1 OF THIS ARTICLE until the individual establishes, or causes to be established, an authorized [political] CANDIDATE CAMPAIGN committee.

13-208.1.

(A) EACH POLITICAL PARTY MAY ESTABLISH ONE LEGISLATIVE PARTY CAUCUS COMMITTEE FOR EACH HOUSE OF THE GENERAL ASSEMBLY.

(B) THE STATE BOARD SHALL ADOPT REGULATIONS GOVERNING THE ESTABLISHMENT, STRUCTURE, AND OPERATION OF LEGISLATIVE PARTY CAUCUS COMMITTEES.

13-220.1.

(A) EACH CENTRAL COMMITTEE OF A POLITICAL PARTY OR LEGISLATIVE PARTY CAUCUS COMMITTEE MAY ESTABLISH ONE ADMINISTRATIVE ACCOUNT.

(B) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT MAY BE MADE ONLY FOR NONELECTORAL PURPOSES.

(C) A DONATION TO AN ADMINISTRATIVE ACCOUNT:

(1) MAY BE MADE ONLY IF THE DONOR IS AWARE THAT THE DONATION WILL BE USED FOR NONELECTORAL PURPOSES AND CONSENTS TO THAT USE BEFORE MAKING THE DONATION; AND

(2) IS NOT SUBJECT TO § 13-226(B) OF THIS SUBTITLE.

(D) A CAMPAIGN FINANCE ENTITY MAY NOT MAKE A TRANSFER TO AN ADMINISTRATIVE ACCOUNT.

(E) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:

(1) DEFINE PERMISSIBLE NONELECTORAL DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT; AND

(2) REQUIRE DISCLOSURE OF:

(I) DONATIONS TO AN ADMINISTRATIVE ACCOUNT; AND

(II) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT.

13-234.

- (a) A contribution of money may be made only by:
- (1) check;
 - (2) credit card;
 - (3) cash, if the contribution does not exceed \$100 IN AN ELECTION CYCLE; or
 - (4) an electronic method that the State Board authorizes by regulation.
- (b) An electronic method of making a contribution that the State Board authorizes under this section shall ensure that:
- (1) the identity of the person making the contribution may be verified;
 - (2) the transaction is secure; and
 - (3) there is an adequate record of the transaction.

13-235.

- (a) This section applies to the following officials:
- (1) the Governor;
 - (2) the Lieutenant Governor;
 - (3) the Attorney General;
 - (4) the Comptroller; and
 - (5) a member of the General Assembly.
- (b) Except as provided in subsection (c) [or], (d), OR (E) of this section, during a regular session of the General Assembly an official described in subsection (a) of this section, or a person acting on behalf of the official, may not, as to a candidate

for federal, State, or local office, or a campaign finance entity of the candidate or any other campaign finance entity organized under this title and operated in coordination with a candidate:

- (1) receive a contribution;
- (2) conduct a fund-raising event;
- (3) solicit or sell a ticket to a fund-raising event; or
- (4) deposit or use any contribution of money that was not deposited prior to the session.

(c) An official described in subsection (a) of this section, or a person acting on behalf of the official, is not subject to this section when engaged in activities solely related to the official's election to an elective federal or local office for which the official is a filed candidate.

(d) Under the Public Financing Act, a gubernatorial ticket, during the year of the election only, may accept eligible private contributions and any disbursement of funds by the State Board that is based on the eligible private contributions.

(E) AN OFFICIAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION, OR A PERSON ACTING ON BEHALF OF THE OFFICIAL, MAY DEPOSIT A CONTRIBUTION DURING THE LEGISLATIVE SESSION IF THE CONTRIBUTION WAS MADE ELECTRONICALLY BEFORE THE START OF THE SESSION.

[(e)] (F) (1) As to a violation of this section, the campaign finance entity of the official in violation is liable for a civil penalty as provided in this subsection.

(2) The State Board, represented by the State Prosecutor, may institute a civil action in the circuit court for any county seeking the civil penalty provided in this subsection.

(3) A campaign finance entity that receives a contribution as a result of the violation shall:

- (i) refund the contribution to the contributor; and

(ii) pay a civil penalty that equals the sum of \$1,000 plus the amount of the contribution.

13-309.

(a) Subject to other provisions of this subtitle **AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION**, a campaign finance entity shall file campaign finance reports as follows:

(1) except for a ballot issue committee, on or before the fourth Tuesday immediately preceding each primary election [except a presidential primary election];

(2) except for a ballot issue committee, on or before the second Friday immediately preceding a primary election;

(3) ON OR BEFORE THE LAST TUESDAY IN AUGUST IMMEDIATELY PRECEDING A GENERAL ELECTION;

[(3)] (4) for a ballot issue committee only, on or before the fourth Friday immediately preceding a general election;

[(4)] (5) on or before the second Friday immediately preceding a general election; and

[(5)] (6) on or before the third Tuesday after a general election.

(b) (1) A campaign finance entity is subject to subsection (a) of this section and this subsection only as to the election in which the entity designates that it will participate.

(2) In addition to the campaign finance reports required under subsection (a) of this section, but subject to paragraph (4) of this subsection, a campaign finance entity shall file A campaign finance [reports] **REPORT** on the third Wednesday in January.

(3) (i) If subsequent to the filing of its declaration under § 13-208(c)(3) of this title, a campaign finance entity participates in an election in which it was not designated to participate, the campaign finance entity shall file all

campaign FINANCE reports prescribed under subsection (a) of this section for that election.

(ii) A violation of subparagraph (i) of this paragraph constitutes a failure to file by the campaign finance entity, and the responsible officer is guilty of a misdemeanor and on conviction is subject to the penalties prescribed under Part VII of this subtitle.

(4) If a campaign finance entity has neither a cash balance nor an outstanding obligation at the end of a reporting period, a campaign finance report for that period, clearly marked as “final”, shall be filed on or before the due date, and no further report is required.

(c) In addition to the campaign FINANCE reports required under subsection (a) of this section, a continuing political committee shall file a campaign finance report on the third Wednesday in January of each year the committee is in existence.

(D) AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE FOR ELECTION TO THE CENTRAL COMMITTEE OF A POLITICAL PARTY:

(1) SHALL FILE A CAMPAIGN FINANCE REPORT ON OR BEFORE THE THIRD TUESDAY AFTER A GUBERNATORIAL PRIMARY ELECTION; AND

(2) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION AND § 13-310 OF THIS SUBTITLE, IS NOT REQUIRED TO FILE ANY OTHER CAMPAIGN FINANCE REPORTS.

13-604.1.

(A) IN THIS SECTION, “PERSON” INCLUDES A POLITICAL COMMITTEE.

(B) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY IN ACCORDANCE WITH THIS SECTION FOR THE FOLLOWING VIOLATIONS:

(1) MAKING A DISBURSEMENT IN A MANNER NOT AUTHORIZED IN § 13-218(B)(2), (C), AND (D) OF THIS TITLE;

(2) FAILURE TO MAINTAIN A CAMPAIGN BANK ACCOUNT AS REQUIRED IN § 13-220(A) OF THIS TITLE;

(3) MAKING A DISBURSEMENT BY A METHOD NOT AUTHORIZED IN § 13-220(D) OF THIS TITLE;

(4) FAILURE TO MAINTAIN DETAILED AND ACCURATE ACCOUNT BOOKS AND RECORDS AS REQUIRED IN § 13-221 OF THIS TITLE;

(5) FAILURE TO REPORT ALL CONTRIBUTIONS RECEIVED AND EXPENDITURES MADE AS REQUIRED IN § 13-304(B) OF THIS TITLE;

(6) FAILURE TO INCLUDE AN AUTHORITY LINE ON CAMPAIGN MATERIAL AS REQUIRED IN § 13-401 OF THIS TITLE; OR

(7) FAILURE TO RETAIN A COPY OF CAMPAIGN MATERIAL AS REQUIRED IN § 13-403 OF THIS TITLE.

(C) A CIVIL PENALTY IMPOSED UNDER THIS SECTION FOR A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION IS IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW.

(D) THE AMOUNT OF A CIVIL PENALTY IMPOSED UNDER THIS SECTION MAY NOT EXCEED \$500 FOR EACH VIOLATION.

(E) THE CIVIL PENALTY IS PAYABLE TO THE STATE BOARD BY THE PERSON CHARGED IN A CITATION WITHIN 20 CALENDAR DAYS AFTER SERVICE OF THE CITATION.

(F) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A CIVIL PENALTY IMPOSED UNDER THIS SECTION SHALL BE PAID BY THE CAMPAIGN FINANCE ENTITY.

(2) IF THE CAMPAIGN FINANCE ENTITY HAS INSUFFICIENT FUNDS WITH WHICH TO PAY THE FULL AMOUNT OF THE CIVIL PENALTY IN A TIMELY

MANNER, AFTER THE CAMPAIGN ACCOUNT OF THE FINANCE ENTITY IS EXHAUSTED THE BALANCE OF THE CIVIL PENALTY IS THE JOINT AND SEVERAL LIABILITY OF THE RESPONSIBLE OFFICERS.

(3) IF A VIOLATION IS COMMITTED BY A PERSON NOT ACTING ON BEHALF OF, OR AT THE REQUEST OR SUGGESTION OF, A CANDIDATE OR A CAMPAIGN FINANCE ENTITY, THE CIVIL PENALTY SHALL BE PAID BY THE PERSON WHO COMMITTED THE VIOLATION.

(G) THE STATE BOARD MAY ISSUE A CITATION TO ANY PERSON THE STATE BOARD BELIEVES IS COMMITTING OR HAS COMMITTED A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION.

(H) THE CITATION SHALL BE SERVED ON THE DEFENDANT IN ACCORDANCE WITH THE MARYLAND RULES.

(I) THE CITATION SHALL CONTAIN:

(1) THE CERTIFICATION BY THE STATE BOARD ATTESTING TO THE TRUTH OF THE MATTER SET FORTH IN THE CITATION;

(2) THE NAME AND ADDRESS OF THE PERSON CHARGED;

(3) THE NATURE, TIME, AND PLACE OF THE VIOLATION;

(4) THE MANNER IN WHICH THE VIOLATION OCCURRED;

(5) THE AMOUNT OF THE PENALTY ASSESSED;

(6) THE MANNER, TIME, AND LOCATION TO PAY THE PENALTY;

(7) A STATEMENT THAT THE PERSON RECEIVING THE CITATION HAS A RIGHT TO TRIAL IN THE DISTRICT COURT; AND

(8) THE EFFECT OF FAILING TO PAY THE ASSESSED FINE OR OF FAILING TO DEMAND A TRIAL WITHIN THE PRESCRIBED TIME.

(J) (1) A PERSON CHARGED IN A CITATION MAY ELECT TO STAND TRIAL FOR THE VIOLATION BY NOTIFYING THE STATE BOARD IN WRITING OF THE PERSON'S INTENT TO STAND TRIAL.

(2) THE WRITTEN NOTICE SHALL BE GIVEN AT LEAST 5 DAYS BEFORE THE DATE OF PAYMENT AS SET FORTH IN THE CITATION.

(K) (1) ON RECEIPT OF THE WRITTEN NOTICE OF INTENT TO STAND TRIAL, THE STATE BOARD SHALL FORWARD TO THE STATE PROSECUTOR A COPY OF THE CITATION AND THE WRITTEN NOTICE.

(2) THE STATE PROSECUTOR SHALL FORWARD TO THE DISTRICT COURT HAVING VENUE A COPY OF THE CITATION AND THE WRITTEN NOTICE.

(3) ON RECEIPT OF THE CITATION AND THE WRITTEN NOTICE:

(I) THE STATE PROSECUTOR SHALL ASSUME RESPONSIBILITY FOR PROSECUTING THE VIOLATION; AND

(II) THE DISTRICT COURT SHALL SCHEDULE THE CASE FOR TRIAL, NOTIFY THE DEFENDANT OF THE TRIAL DATE, AND SUMMON THE DEFENDANT TO APPEAR.

(L) (1) IF A PERSON CHARGED IN A CITATION FAILS TO PAY THE PENALTY BY THE DATE OF PAYMENT SET FORTH IN THE CITATION AND FAILS TO DELIVER TO THE STATE BOARD THE WRITTEN NOTICE OF INTENT TO STAND TRIAL, THE PERSON IS LIABLE FOR THE ASSESSED PENALTY.

(2) THE STATE PROSECUTOR, ON BEHALF OF THE STATE BOARD, MAY DOUBLE THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000 AND REQUEST ADJUDICATION OF THE CASE THROUGH THE DISTRICT COURT BY FILING A DEMAND FOR JUDGMENT ON AFFIDAVIT.

(M) THE DEFENDANT'S FAILURE TO RESPOND TO THE SUMMONS OF THE DISTRICT COURT SHALL RESULT IN THE ENTRY OF JUDGMENT AGAINST THE DEFENDANT IN FAVOR OF THE STATE BOARD IN THE AMOUNT SET FORTH IN

THE CITATION IF A PROPER DEMAND FOR JUDGMENT ON AFFIDAVIT HAS BEEN MADE.

(N) IF A PERSON IS FOUND BY THE DISTRICT COURT TO HAVE COMMITTED A VIOLATION:

(1) (I) THE DISTRICT COURT SHALL ORDER THE PERSON TO PAY THE PENALTY SET FORTH IN THE CITATION AND MAY DOUBLE THE AMOUNT OF THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000;

(II) THE PENALTY IMPOSED SHALL CONSTITUTE A JUDGMENT IN FAVOR OF THE STATE BOARD; AND

(III) IF THE PENALTY REMAINS UNPAID FOR 30 DAYS FOLLOWING THE DATE OF ITS ENTRY, THE JUDGMENT SHALL BE ENFORCEABLE IN THE SAME MANNER AND TO THE SAME EXTENT AS OTHER CIVIL JUDGMENTS FOR MONEY UNLESS THE COURT HAS SUSPENDED OR DEFERRED PAYMENT OF THE PENALTY AS PROVIDED IN ITEM (2) OF THIS SUBSECTION;

(2) THE DISTRICT COURT MAY SUSPEND OR DEFER THE PAYMENT OF ANY PENALTY UNDER CONDITIONS THAT THE COURT SETS;

(3) THE DEFENDANT SHALL BE LIABLE FOR THE COSTS OF THE PROCEEDINGS IN THE DISTRICT COURT; AND

(4) THE DISTRICT COURT MAY ORDER THE PERSON TO ABATE THE VIOLATION.

(O) IF A DEFENDANT FAILS TO PAY ANY PENALTY OR COST IMPOSED BY THE DISTRICT COURT WITHOUT GOOD CAUSE, THE DISTRICT COURT MAY PUNISH THE FAILURE AS CONTEMPT OF COURT.

(P) ADJUDICATION OF A VIOLATION UNDER THIS SECTION:

(1) IS NOT A CRIMINAL CONVICTION; AND

(2) DOES NOT IMPOSE ANY OF THE CIVIL DISABILITIES THAT ARISE FROM A CRIMINAL CONVICTION.

(q) IN A DISTRICT COURT PROCEEDING RELATING TO A VIOLATION UNDER THIS SECTION:

(1) THE STATE PROSECUTOR HAS THE BURDEN TO PROVE THAT THE DEFENDANT HAS COMMITTED THE VIOLATION BY CLEAR AND CONVINCING EVIDENCE;

(2) THE DISTRICT COURT SHALL APPLY THE EVIDENTIARY STANDARDS AS PROVIDED BY LAW OR RULE FOR THE TRIAL OF CIVIL CAUSES;

(3) THE DISTRICT COURT SHALL ENSURE THAT THE DEFENDANT HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT THE DEFENDANT UNDERSTANDS THOSE CHARGES;

(4) THE DEFENDANT MAY CROSS-EXAMINE ALL WITNESSES WHO APPEAR AGAINST THE DEFENDANT, PRODUCE EVIDENCE OR WITNESSES IN THE DEFENDANT'S OWN BEHALF, OR TESTIFY IN THE DEFENDANT'S OWN BEHALF;

(5) THE DEFENDANT SHALL BE ENTITLED TO BE REPRESENTED BY COUNSEL OF THE DEFENDANT'S OWN SELECTION AND AT THE DEFENDANT'S OWN EXPENSE;

(6) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT GUILTY OF THE VIOLATION AS CHARGED; AND

(7) THE VERDICT OF THE DISTRICT COURT SHALL BE GUILTY OF A VIOLATION OR NOT GUILTY OF A VIOLATION, OR THE DISTRICT COURT MAY, BEFORE RENDERING JUDGMENT, PLACE THE DEFENDANT ON PROBATION.

(R) THE STATE BOARD SHALL CONSIDER THE FOLLOWING IN DETERMINING THE AMOUNT OF A PENALTY UNDER THIS SECTION:

(1) THE SEVERITY OF THE VIOLATION FOR WHICH THE PENALTY IS TO BE ASSESSED;

(2) THE GOOD FAITH OF THE VIOLATOR; AND

(3) ANY HISTORY OF PRIOR VIOLATIONS.

(S) PENALTIES COLLECTED UNDER THIS SECTION SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE.”.

AMENDMENT NO. 3

On pages 11 and 12, strike in their entirety the lines beginning with line 12 on page 11 down through line 16 on page 12, inclusive.

On page 12, in line 17, strike the brackets; in the same line, strike “**(E)**”; and in line 20, strike “**(F)**” and substitute “**(E)**”.

On page 18, in line 30, strike “**ORGANIZED**” and substitute “**REGISTERED AND FILES THE REPORTS**”.

On page 19, in line 26, strike “**AN AUTHORIZED CANDIDATE CAMPAIGN**” and substitute “**A POLITICAL**”.

AMENDMENT NO. 4

On page 22, strike in their entirety lines 24 through 27, inclusive, and substitute:

“2. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13-243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”.

On page 24, in line 33, strike “**IN**” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN**”.

On page 25, in lines 4 and 7, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 9, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN INDEPENDENT EXPENDITURE REPORT OR AN AMENDED INDEPENDENT EXPENDITURE REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. \$100 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

On page 27, strike in their entirety lines 24 through 27, inclusive, and substitute:

“4. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13-243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”.

On page 30, in line 23, strike “IN” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN”; in lines 28 and 31, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 33, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN ELECTIONEERING COMMUNICATION REPORT OR AN AMENDED ELECTIONEERING COMMUNICATION REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. \$100 FOR EACH DAY OR PART OF A DAY THAT AN ELECTIONEERING COMMUNICATION REPORT OR AMENDED ELECTIONEERING COMMUNICATION REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS THAT WERE NOT REPORTED IN A TIMELY MANNER.

AMENDMENT NO. 5

On page 33, in lines 23 and 27, in each instance, after “POLITICAL” insert “ACTION”; in lines 23 and 24, strike “IF THE EXPENDITURES OF THE POLITICAL COMMITTEE ARE EXCLUSIVELY” and substitute “THAT EXCLUSIVELY MAKES”; in line 30, after “(D)” insert “(1)”; in the same line, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and after line 32, insert:

“(2) THE POLITICAL ACTION COMMITTEE SHALL INCLUDE ALL OF THE INFORMATION REPORTED ON A DISCLOSURE REPORT ON ITS REGULARLY FILED CAMPAIGN FINANCE REPORTS.”

On page 34, strike in their entirety lines 1 through 10, inclusive, and substitute:

“(E) A POLITICAL ACTION COMMITTEE SHALL FILE A DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR MORE ON CAMPAIGN MATERIAL DURING THE REPORTING PERIOD COVERED BY ITS NEXT CAMPAIGN FINANCE REPORT.

“(F) A POLITICAL ACTION COMMITTEE SHALL FILE AN ADDITIONAL DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR MORE ON CAMPAIGN MATERIAL FOLLOWING THE CLOSING DATE OF THE IMMEDIATELY PRECEDING DISCLOSURE REPORT FILED BY THE POLITICAL ACTION COMMITTEE.”

in lines 13, 21, and 22, in each instance, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and in lines 16 and 17, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”.

On page 36, in line 12, after “(A)” insert “(1)”; and after line 15, insert:

“(2) WHEN ESTABLISHING A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR ELECTIVE OFFICES IN THE EXECUTIVE OR LEGISLATIVE BRANCHES OF COUNTY GOVERNMENT, THE GOVERNING BODY OF A COUNTY SHALL SPECIFY THE CRITERIA THAT IS TO BE USED TO DETERMINE WHETHER AN INDIVIDUAL IS ELIGIBLE FOR PUBLIC CAMPAIGN FINANCING.”

AMENDMENT NO. 6

On page 34, after line 28, insert:

“13-309.2.

(A) IN THIS SECTION, “PARTICIPATING ORGANIZATION” MEANS ANY ENTITY THAT IS ORGANIZED UNDER § 501(C)(4) OR (6) OR § 527 OF THE INTERNAL REVENUE CODE AND MAKES:

(1) A CONTRIBUTION TO A CAMPAIGN FINANCE ENTITY FOR THE EXPRESS PURPOSE OF CAUSING THE CAMPAIGN FINANCE ENTITY TO MAKE A DISBURSEMENT IN THE STATE;

(2) A DONATION TO A PERSON FOR THE EXPRESS PURPOSE OF CAUSING THE PERSON TO MAKE AN INDEPENDENT EXPENDITURE OR A DISBURSEMENT FOR ELECTIONEERING COMMUNICATIONS IN THE STATE; OR

(3) A DONATION TO AN OUT-OF-STATE POLITICAL COMMITTEE FOR THE EXPRESS PURPOSE OF CAUSING THE POLITICAL COMMITTEE TO MAKE A DISBURSEMENT IN THE STATE.

(B) WITHIN 48 HOURS AFTER A PARTICIPATING ORGANIZATION MAKES A CONTRIBUTION, DONATION, OR DISBURSEMENT OF \$6,000 OR MORE IN AN ELECTION CYCLE THE PARTICIPATING ORGANIZATION SHALL FILE A REGISTRATION FORM WITH THE STATE BOARD.

(C) A PARTICIPATING ORGANIZATION SHALL FILE A REPORT WITH THE STATE BOARD IN THE YEAR OF THE ELECTION FOR WHICH IT IS PARTICIPATING FOR THE PERIODS AND ON OR BEFORE THE DATES THAT A CAMPAIGN FINANCE ENTITY FOR A CANDIDATE IS REQUIRED TO FILE A CAMPAIGN FINANCE REPORT UNDER THIS SUBTITLE.

(D) THE REPORT SHALL INCLUDE ALL DISBURSEMENTS MADE TO INFLUENCE AN ELECTION IN THE STATE AND EITHER:

(1) THE NAME, ADDRESS, AND OCCUPATION, IF ANY, OF THE FIVE DONORS WHO GAVE THE LARGEST AMOUNT OF MONEY TO THE PARTICIPATING ORGANIZATION TO INFLUENCE AN ELECTION IN THE STATE DURING THE 1 YEAR PERIOD THAT IMMEDIATELY PRECEDES THE DATE OF THE REPORT; OR

(2) IF THE PARTICIPATING ORGANIZATION MADE A FILING WITH THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION WITHIN 6 MONTHS OF THE DATE WHEN A REPORT OTHERWISE WOULD BE REQUIRED, DESCRIBE HOW THE PUBLIC MAY ACCESS VIA THE INTERNET THE PARTICIPATING ORGANIZATION'S REPORTS THAT DETAIL DISBURSEMENTS MADE AND DONATIONS RECEIVED."

AMENDMENT NO. 7

On page 47, in line 31, strike "A" and substitute "EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A".

On page 48, in line 1, strike "REQUIRE" and substitute ":((I) REQUIRE"; in line 2, after "TITLE" insert ";AND"; in line 3, strike the period; in line 4, strike "(2) A GOVERNMENTAL ENTITY SHALL" and substitute "(II)"; in line 5, strike "OF THE NAMES AND CONTACT INFORMATION OF PERSONS" and substitute "IF A PERSON"; in lines 6 and 7, strike "WHO ARE REQUIRED" and substitute "FAILS"; strike beginning with "WITHIN" in line 8 down through "ENTITY" in line 9; and after line 9, insert:

"(2) THIS SUBSECTION DOES NOT APPLY TO A CONTRACT FOR WHICH NOTICE OF AWARD HAS BEEN POSTED ON EMARYLAND MARKETPLACE."

AMENDMENT NO. 8

On page 49, in lines 21, 25, and 31, strike “3.”, “4.”, and “5.”, respectively, and substitute “4.”, “5.”, and “6.”, respectively; in line 29, strike the second comma; in line 31, after “That” insert “Sections 1, 2, and 4 of”; and after line 32, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect October 1, 2013.”

The preceding 8 amendments were read only.

Senator Ferguson moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #36**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

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

SB0592/984534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 592

(First Reading File Bill)

On page 2, in line 1, after “INCLUDE” insert “SMOOTH-HOUNDS, SPINY DOGFISH, OR”.

The preceding amendment was read only.

Senator Colburn moved, duly seconded, to make the Bill and Amendment a Special Order for April 2, 2013.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 675 – Senators Manno, Benson, Forehand, Frosh, Montgomery, Pinsky, and Young

AN ACT concerning

Maryland Pesticide Reporting and Information Act

SB0675/654637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 675

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Act” and substitute “Workgroup”; and strike beginning with “requiring” in line 3 down through the second “to” in line 30.

On page 2, strike in their entirety lines 1 through 15, inclusive, and substitute “establishing the Maryland Pesticide Reporting and Information Workgroup; providing for the composition, cochairs, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding the establishment of a pesticide use database; requiring the Workgroup to report its preliminary and final findings and recommendations to certain committees of the General Assembly on or before certain dates; providing for the termination of this Act; and generally relating to the Maryland Pesticide Reporting and Information Workgroup.”; and strike in their entirety lines 16 through 26, inclusive.

AMENDMENT NO. 2

On page 2, in line 28, strike “the Laws of Maryland read as follows”.

On pages 2 through 14, strike in their entirety the lines beginning with line 29 on page 2 through line 15 on page 14, inclusive, and substitute:

“(a) There is a Maryland Pesticide Reporting and Information Workgroup.

(b) The Workgroup consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Agriculture, or the Secretary's designee;

(4) the Secretary of Health and Mental Hygiene, or the Secretary's designee;

(5) the Secretary of Natural Resources, or the Secretary's designee;

(6) the Secretary of the Environment, or the Secretary's designee;

(7) the Chair of the Pesticide Advisory Committee, or the Chair's designee; and

(8) the following members appointed jointly by the President of the Senate and the Speaker of the House:

(i) one representative of the Chesapeake Bay Foundation;

(ii) one representative of the Maryland Pesticide Network;

(iii) one representative of the Maryland Farm Bureau;

(iv) one representative of the Maryland State Pest Control Association;

(v) one representative of the Maryland Grain Producers;

(vi) one representative from the pesticide manufacturing industry;

(vii) one representative from the environmental community;

(viii) one public health expert;

(ix) one public health and toxicology expert;

(x) one environmental health expert; and

(xi) one farmer.

(c) (1) The President of the Senate shall designate one of the members appointed from the Senate of Maryland as cochair of the Workgroup.

(2) The Speaker of the House shall designate one of the members appointed from the House of Delegates as cochair of the Workgroup.

(d) The Department of Agriculture shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) identify any pesticide use data gaps;

(2) determine the appropriate format to make data available for research;

(3) review scientific research and data regarding the use of pesticides and the potential for harm from pesticides;

(4) determine and make recommendations regarding how to protect the privacy of a person reporting data;

(5) determine and make recommendations regarding the best method for assembling and maintaining data;

(6) determine the need for and make recommendations regarding regulations and guidelines needed for a consistent, unified database;

(7) determine and make recommendations regarding whether legislation is necessary to facilitate access to pesticide information and data;

(8) determine whether it is feasible to gather data from retailers and homeowners; and

(9) consult with the U.S. Environmental Protection Agency and other federal agencies when the Workgroup determines it necessary.

(g) (1) On or before December 31, 2013, the Workgroup shall report its preliminary findings and recommendations to the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee in accordance with § 2–1246 of the State Government Article.

(2) On or before July 1, 2014, the Workgroup shall report its final findings and recommendations to the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee in accordance with § 2–1246 of the State Government Article.”.

On page 14, in line 16, strike “3.” and substitute “2.”; and in line 17, after “2013.” insert “It shall remain effective for a period of 2 years and, at the end of June 30, 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for April 2, 2013.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 902 – Senators Muse and Zirkin

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

SB0902/434137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 902

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “aggrieved individual” and substitute “occupant, a dependant of an occupant, or a prospective tenant who otherwise meets the requirements for tenancy”; strike beginning with “by” in line 4 down through “operates” in line 5 and substitute “with regard to”; in line 5, after “circumstances;” insert “requiring an occupant, a dependant of an occupant, or a prospective tenant who otherwise meets the requirements for tenancy to provide a certain written notice to a property manager, landlord, or rental agent before filing a complaint under this Act;”; in line 8, after “circumstances;” insert “correcting an obsolete reference; defining a certain term;”; in the same line, after “to” insert “private”; and in line 9, strike “brought by aggrieved individuals”.

AMENDMENT NO. 2

On page 1, in line 19, after “(a)” insert “**(1)**”; in the same line, strike the comma and substitute “THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2);

after line 20, insert:

“(3) “HISTORIC PROPERTY” MEANS A QUALIFIED HISTORIC BUILDING OR FACILITY THAT IS:

(I) LISTED OR ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES; OR

(II) DESIGNATED AS HISTORIC UNDER STATE OR LOCAL LAW.”.

AMENDMENT NO. 3

On page 2, in line 1, strike “Governor’s Committee on Employment of People with” and substitute “MARYLAND DEPARTMENT OF”.

On page 3, in line 6, after “(1)” insert “THIS SUBSECTION DOES NOT APPLY TO AN AGGRIEVED INDIVIDUAL WHO HAS AN EXISTING PRIVATE RIGHT OF ACTION AGAINST A HOUSING AUTHORITY TO ENFORCE ACCESSIBILITY REQUIREMENTS UNDER:

(I) SECTION 504 OF THE FEDERAL REHABILITATION ACT OF 1973; OR

(II) THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990.

(2);

strike beginning with “BY” in line 8 down through “OPERATES” in line 9 and substitute “WITH REGARD TO”; in line 9, after “THAT” insert “:

(I);

in line 10, after “CODE” insert “;BUT

(II) IS NOT A HISTORIC PROPERTY”;

in line 18, strike “PLAINTIFF” and substitute “PARTY”; and in lines 18 and 19, strike “AND PUNITIVE”.

On page 3, in line 6, strike “AN AGGRIEVED INDIVIDUAL” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, AN OCCUPANT, A DEPENDANT OF AN OCCUPANT, OR A PROSPECTIVE TENANT WHO OTHERWISE MEETS THE REQUIREMENTS FOR TENANCY”; after line 10, insert:

“(3) AT LEAST 30 DAYS BEFORE FILING A COMPLAINT UNDER THIS SUBSECTION, AN OCCUPANT, A DEPENDANT OF AN OCCUPANT, OR A PROSPECTIVE TENANT WHO OTHERWISE MEETS THE REQUIREMENTS FOR

TENANCY SHALL PROVIDE WRITTEN NOTICE TO THE PROPERTY MANAGER, LANDLORD, OR RENTAL AGENT THAT:

(I) STATES THAT THE OCCUPANT, DEPENDANT OF AN OCCUPANT, OR PROSPECTIVE TENANT WHO OTHERWISE MEETS THE REQUIREMENTS FOR TENANCY NEEDS ACCESSIBILITY;

(II) IDENTIFIES THE LOCATION OF THE MULTIFAMILY BUILDING THAT IS ALLEGED TO BE NONCOMPLIANT; AND

(III) STATES THAT THE OWNER OF THE MULTIFAMILY BUILDING HAS 30 DAYS FROM THE DATE OF THE NOTICE TO MAKE ARRANGEMENTS TO BRING THE MULTIFAMILY BUILDING INTO COMPLIANCE.”;

and in line 11, strike “(2)” and substitute “(4)”.

The preceding 3 amendments were read only.

Senator Kittleman moved, duly seconded, to make the Bill and Amendments a Special Order for April 2, 2013.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1039 – The President (By Request – Commission to Study Campaign Finance Law) and Senators Ferguson and Benson

AN ACT concerning

Campaign Finance Reform Act of 2013

SB1039/924233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1039

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 8 in its entirety and substitute “providing that a candidate may join a slate or continue as a member of a slate only”; and in line 23, after “members;” insert “establishing a limit on the amount of transfers a legislative party caucus committee may make in an election cycle to the authorized candidate campaign committee of a candidate the legislative party caucus committee seeks to elect”.

On page 2, in line 1, after “manner;” insert “altering certain requirements for contributions received from the sale of a raffle ticket, spin, or chance at a campaign fundraising event”; in line 2, after “of” insert “certain”; in line 4, after “contribution;” insert “authorizing a political committee to report certain contributions collected in a certain manner on its campaign finance reports without providing certain information about each contribution under certain circumstances”; and in line 47, strike “verify that” and substitute “require”.

On page 3, in line 1, after “business” insert “with the governmental entity to certify that the person”; strike beginning with “before” in line 1 down through “contract” in line 2 and substitute “under certain circumstances; providing a certain exception; requiring a governmental entity to notify the State Board of persons doing public business with the governmental entity who are required to file a certain statement of contributions within a certain period of time; requiring certain participating organizations, as defined, making certain contributions or donations or certain disbursements to register with the State Board and file a certain report under certain circumstances; altering the deadline date for certain candidates to file a certificate of candidacy; altering the date by which the State Board shall certify the content and arrangement of a certain ballot”; in line 11, after “terms;” insert “making the provisions of this Act severable”; in line 12, after “date” insert “for certain provisions of this Act”; in line 16, after “2–102,” insert “5–303, 9–207(a)”; and in line 24, after “13–309.1,” insert “13–309.2”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 16 through 28, inclusive.

On page 6, strike in their entirety lines 11 through 18, inclusive.

On page 7, strike in their entirety lines 21 through 26, inclusive.

On pages 8 and 9, strike the lines beginning with line 21 on page 8 through line 12 on page 9, inclusive.

On pages 14 and 15, strike the lines beginning with line 1 on page 14 through line 25 on page 15, inclusive.

On pages 30 and 31, strike the lines beginning with line 1 on page 30 through line 13 on page 31, inclusive.

On pages 35 through 40, strike the lines beginning with line 21 on page 35 through line 2 on page 40, inclusive.

AMENDMENT NO. 3

On page 46, after line 24, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

1-101.

(BB-1) “LEGISLATIVE PARTY CAUCUS COMMITTEE” MEANS A POLITICAL COMMITTEE THAT IS ESTABLISHED TO PROMOTE THE ELECTION OF CANDIDATES OF A SINGLE POLITICAL PARTY TO ONE OF THE TWO HOUSES OF THE GENERAL ASSEMBLY.

(ff) “Political action committee” means a political committee that is not:

(1) a political party;

(2) a central committee;

(3) a slate;

(4) A LEGISLATIVE PARTY CAUCUS COMMITTEE;

[(4)] (5) [a political committee organized and operated solely to support or oppose a single candidate] AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE; or

[(5)] (6) [a political committee organized and operated solely to support or oppose] a ballot issue COMMITTEE.

5–303.

(a) Except as provided in subsections (b) and (c) of this section:

(1) in the year in which the Governor is elected, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday [following the second Tuesday in April in the year in] THAT IS 24 WEEKS BEFORE THE DAY ON which the primary election will be held; and

(2) for any other regularly scheduled election, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday that is 83 days before the day on which the primary election will be held.

(b) A certificate of candidacy for an office to be filled by a special election under this article shall be received and filed in the office of the appropriate board not later than 5 p.m. on the Monday that is 3 weeks or 21 days prior to the date for the special primary election specified by the Governor in the proclamation for the special primary election.

(c) The certificate of candidacy for the election of a write-in candidate shall be filed by the earlier of:

(1) 7 days after a total expenditure of at least \$51 is made to promote the candidacy by a campaign finance entity of the candidate; or

(2) 5 p.m. on the Wednesday preceding the day of the election for which the certificate is filed.

9–207.

(a) The State Board shall certify the content and arrangement of each ballot:

(1) for a primary election, no more than 11 days after the filing date provided in § 5–303 of this article;

(2) for a general election[;

(i) in the year that the President of the United States is elected], at least 55 days before the election[; and

(ii) in any other year, not more than 18 days after the primary election];

(3) for a special primary election, at least 18 days before the election;
and

(4) for a special general election, not later than a date specified in the Governor's proclamation.

13-202.

(a) Unless otherwise expressly authorized by law, all campaign finance activity for an election under this article shall be conducted through a campaign finance entity.

(b) An individual may not file a certificate of candidacy OR A DECLARATION OF INTENT UNDER § 5-703 OR § 5-703.1 OF THIS ARTICLE until the individual establishes, or causes to be established, an authorized [political] CANDIDATE CAMPAIGN committee.

13-208.1.

(A) EACH POLITICAL PARTY MAY ESTABLISH ONE LEGISLATIVE PARTY CAUCUS COMMITTEE FOR EACH HOUSE OF THE GENERAL ASSEMBLY.

(B) THE STATE BOARD SHALL ADOPT REGULATIONS GOVERNING THE ESTABLISHMENT, STRUCTURE, AND OPERATION OF LEGISLATIVE PARTY CAUCUS COMMITTEES.

13-220.1.

(A) EACH CENTRAL COMMITTEE OF A POLITICAL PARTY OR LEGISLATIVE PARTY CAUCUS COMMITTEE MAY ESTABLISH ONE ADMINISTRATIVE ACCOUNT.

(B) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT MAY BE MADE ONLY FOR NONELECTORAL PURPOSES.

(C) A DONATION TO AN ADMINISTRATIVE ACCOUNT:

(1) MAY BE MADE ONLY IF THE DONOR IS AWARE THAT THE DONATION WILL BE USED FOR NONELECTORAL PURPOSES AND CONSENTS TO THAT USE BEFORE MAKING THE DONATION; AND

(2) IS NOT SUBJECT TO § 13-226(B) OF THIS SUBTITLE.

(D) A CAMPAIGN FINANCE ENTITY MAY NOT MAKE A TRANSFER TO AN ADMINISTRATIVE ACCOUNT.

(E) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:

(1) DEFINE PERMISSIBLE NONELECTORAL DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT; AND

(2) REQUIRE DISCLOSURE OF:

(I) DONATIONS TO AN ADMINISTRATIVE ACCOUNT; AND

(II) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT.

13-234.

(a) A contribution of money may be made only by:

(1) check;

(2) credit card;

(3) cash, if the contribution does not exceed \$100 IN AN ELECTION CYCLE; or

(4) an electronic method that the State Board authorizes by regulation.

(b) An electronic method of making a contribution that the State Board authorizes under this section shall ensure that:

- (1) the identity of the person making the contribution may be verified;
- (2) the transaction is secure; and
- (3) there is an adequate record of the transaction.

13-235.

(a) This section applies to the following officials:

- (1) the Governor;
- (2) the Lieutenant Governor;
- (3) the Attorney General;
- (4) the Comptroller; and
- (5) a member of the General Assembly.

(b) Except as provided in subsection (c) [or], (d), OR (E) of this section, during a regular session of the General Assembly an official described in subsection (a) of this section, or a person acting on behalf of the official, may not, as to a candidate for federal, State, or local office, or a campaign finance entity of the candidate or any other campaign finance entity organized under this title and operated in coordination with a candidate:

- (1) receive a contribution;
- (2) conduct a fund-raising event;
- (3) solicit or sell a ticket to a fund-raising event; or

(4) deposit or use any contribution of money that was not deposited prior to the session.

(c) An official described in subsection (a) of this section, or a person acting on behalf of the official, is not subject to this section when engaged in activities solely related to the official's election to an elective federal or local office for which the official is a filed candidate.

(d) Under the Public Financing Act, a gubernatorial ticket, during the year of the election only, may accept eligible private contributions and any disbursement of funds by the State Board that is based on the eligible private contributions.

(E) AN OFFICIAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION, OR A PERSON ACTING ON BEHALF OF THE OFFICIAL, MAY DEPOSIT A CONTRIBUTION DURING THE LEGISLATIVE SESSION IF THE CONTRIBUTION WAS MADE ELECTRONICALLY BEFORE THE START OF THE SESSION.

[(e)] (F) (1) As to a violation of this section, the campaign finance entity of the official in violation is liable for a civil penalty as provided in this subsection.

(2) The State Board, represented by the State Prosecutor, may institute a civil action in the circuit court for any county seeking the civil penalty provided in this subsection.

(3) A campaign finance entity that receives a contribution as a result of the violation shall:

(i) refund the contribution to the contributor; and

(ii) pay a civil penalty that equals the sum of \$1,000 plus the amount of the contribution.

13-309.

(a) Subject to other provisions of this subtitle **AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION**, a campaign finance entity shall file campaign finance reports as follows:

(1) except for a ballot issue committee, on or before the fourth Tuesday immediately preceding each primary election [except a presidential primary election];

(2) except for a ballot issue committee, on or before the second Friday immediately preceding a primary election;

(3) ON OR BEFORE THE LAST TUESDAY IN AUGUST IMMEDIATELY PRECEDING A GENERAL ELECTION;

[(3)] (4) for a ballot issue committee only, on or before the fourth Friday immediately preceding a general election;

[(4)] (5) on or before the second Friday immediately preceding a general election; and

[(5)] (6) on or before the third Tuesday after a general election.

(b) (1) A campaign finance entity is subject to subsection (a) of this section and this subsection only as to the election in which the entity designates that it will participate.

(2) In addition to the campaign finance reports required under subsection (a) of this section, but subject to paragraph (4) of this subsection, a campaign finance entity shall file A campaign finance [reports] **REPORT** on the third Wednesday in January.

(3) (i) If subsequent to the filing of its declaration under § 13–208(c)(3) of this title, a campaign finance entity participates in an election in which it was not designated to participate, the campaign finance entity shall file all campaign **FINANCE** reports prescribed under subsection (a) of this section for that election.

(ii) A violation of subparagraph (i) of this paragraph constitutes a failure to file by the campaign finance entity, and the responsible officer is guilty of a misdemeanor and on conviction is subject to the penalties prescribed under Part VII of this subtitle.

(4) If a campaign finance entity has neither a cash balance nor an outstanding obligation at the end of a reporting period, a campaign finance report for

that period, clearly marked as “final”, shall be filed on or before the due date, and no further report is required.

(c) In addition to the campaign FINANCE reports required under subsection (a) of this section, a continuing political committee shall file a campaign finance report on the third Wednesday in January of each year the committee is in existence.

(D) AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE FOR ELECTION TO THE CENTRAL COMMITTEE OF A POLITICAL PARTY:

(1) SHALL FILE A CAMPAIGN FINANCE REPORT ON OR BEFORE THE THIRD TUESDAY AFTER A GUBERNATORIAL PRIMARY ELECTION; AND

(2) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION AND § 13-310 OF THIS SUBTITLE, IS NOT REQUIRED TO FILE ANY OTHER CAMPAIGN FINANCE REPORTS.

13-604.1.

(A) IN THIS SECTION, “PERSON” INCLUDES A POLITICAL COMMITTEE.

(B) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY IN ACCORDANCE WITH THIS SECTION FOR THE FOLLOWING VIOLATIONS:

(1) MAKING A DISBURSEMENT IN A MANNER NOT AUTHORIZED IN § 13-218(B)(2), (C), AND (D) OF THIS TITLE;

(2) FAILURE TO MAINTAIN A CAMPAIGN BANK ACCOUNT AS REQUIRED IN § 13-220(A) OF THIS TITLE;

(3) MAKING A DISBURSEMENT BY A METHOD NOT AUTHORIZED IN § 13-220(D) OF THIS TITLE;

(4) FAILURE TO MAINTAIN DETAILED AND ACCURATE ACCOUNT BOOKS AND RECORDS AS REQUIRED IN § 13-221 OF THIS TITLE;

(5) FAILURE TO REPORT ALL CONTRIBUTIONS RECEIVED AND EXPENDITURES MADE AS REQUIRED IN § 13-304(B) OF THIS TITLE;

(6) FAILURE TO INCLUDE AN AUTHORITY LINE ON CAMPAIGN MATERIAL AS REQUIRED IN § 13-401 OF THIS TITLE; OR

(7) FAILURE TO RETAIN A COPY OF CAMPAIGN MATERIAL AS REQUIRED IN § 13-403 OF THIS TITLE.

(C) A CIVIL PENALTY IMPOSED UNDER THIS SECTION FOR A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION IS IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW.

(D) THE AMOUNT OF A CIVIL PENALTY IMPOSED UNDER THIS SECTION MAY NOT EXCEED \$500 FOR EACH VIOLATION.

(E) THE CIVIL PENALTY IS PAYABLE TO THE STATE BOARD BY THE PERSON CHARGED IN A CITATION WITHIN 20 CALENDAR DAYS AFTER SERVICE OF THE CITATION.

(F) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A CIVIL PENALTY IMPOSED UNDER THIS SECTION SHALL BE PAID BY THE CAMPAIGN FINANCE ENTITY.

(2) IF THE CAMPAIGN FINANCE ENTITY HAS INSUFFICIENT FUNDS WITH WHICH TO PAY THE FULL AMOUNT OF THE CIVIL PENALTY IN A TIMELY MANNER, AFTER THE CAMPAIGN ACCOUNT OF THE FINANCE ENTITY IS EXHAUSTED THE BALANCE OF THE CIVIL PENALTY IS THE JOINT AND SEVERAL LIABILITY OF THE RESPONSIBLE OFFICERS.

(3) IF A VIOLATION IS COMMITTED BY A PERSON NOT ACTING ON BEHALF OF, OR AT THE REQUEST OR SUGGESTION OF, A CANDIDATE OR A CAMPAIGN FINANCE ENTITY, THE CIVIL PENALTY SHALL BE PAID BY THE PERSON WHO COMMITTED THE VIOLATION.

(G) THE STATE BOARD MAY ISSUE A CITATION TO ANY PERSON THE STATE BOARD BELIEVES IS COMMITTING OR HAS COMMITTED A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION.

(H) THE CITATION SHALL BE SERVED ON THE DEFENDANT IN ACCORDANCE WITH THE MARYLAND RULES.

(I) THE CITATION SHALL CONTAIN:

(1) THE CERTIFICATION BY THE STATE BOARD ATTESTING TO THE TRUTH OF THE MATTER SET FORTH IN THE CITATION;

(2) THE NAME AND ADDRESS OF THE PERSON CHARGED;

(3) THE NATURE, TIME, AND PLACE OF THE VIOLATION;

(4) THE MANNER IN WHICH THE VIOLATION OCCURRED;

(5) THE AMOUNT OF THE PENALTY ASSESSED;

(6) THE MANNER, TIME, AND LOCATION TO PAY THE PENALTY;

(7) A STATEMENT THAT THE PERSON RECEIVING THE CITATION HAS A RIGHT TO TRIAL IN THE DISTRICT COURT; AND

(8) THE EFFECT OF FAILING TO PAY THE ASSESSED FINE OR OF FAILING TO DEMAND A TRIAL WITHIN THE PRESCRIBED TIME.

(J) (1) A PERSON CHARGED IN A CITATION MAY ELECT TO STAND TRIAL FOR THE VIOLATION BY NOTIFYING THE STATE BOARD IN WRITING OF THE PERSON'S INTENT TO STAND TRIAL.

(2) THE WRITTEN NOTICE SHALL BE GIVEN AT LEAST 5 DAYS BEFORE THE DATE OF PAYMENT AS SET FORTH IN THE CITATION.

(K) (1) ON RECEIPT OF THE WRITTEN NOTICE OF INTENT TO STAND TRIAL, THE STATE BOARD SHALL FORWARD TO THE STATE PROSECUTOR A COPY OF THE CITATION AND THE WRITTEN NOTICE.

(2) THE STATE PROSECUTOR SHALL FORWARD TO THE DISTRICT COURT HAVING VENUE A COPY OF THE CITATION AND THE WRITTEN NOTICE.

(3) ON RECEIPT OF THE CITATION AND THE WRITTEN NOTICE:

(I) THE STATE PROSECUTOR SHALL ASSUME RESPONSIBILITY FOR PROSECUTING THE VIOLATION; AND

(II) THE DISTRICT COURT SHALL SCHEDULE THE CASE FOR TRIAL, NOTIFY THE DEFENDANT OF THE TRIAL DATE, AND SUMMON THE DEFENDANT TO APPEAR.

(L) (1) IF A PERSON CHARGED IN A CITATION FAILS TO PAY THE PENALTY BY THE DATE OF PAYMENT SET FORTH IN THE CITATION AND FAILS TO DELIVER TO THE STATE BOARD THE WRITTEN NOTICE OF INTENT TO STAND TRIAL, THE PERSON IS LIABLE FOR THE ASSESSED PENALTY.

(2) THE STATE PROSECUTOR, ON BEHALF OF THE STATE BOARD, MAY DOUBLE THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000 AND REQUEST ADJUDICATION OF THE CASE THROUGH THE DISTRICT COURT BY FILING A DEMAND FOR JUDGMENT ON AFFIDAVIT.

(M) THE DEFENDANT'S FAILURE TO RESPOND TO THE SUMMONS OF THE DISTRICT COURT SHALL RESULT IN THE ENTRY OF JUDGMENT AGAINST THE DEFENDANT IN FAVOR OF THE STATE BOARD IN THE AMOUNT SET FORTH IN THE CITATION IF A PROPER DEMAND FOR JUDGMENT ON AFFIDAVIT HAS BEEN MADE.

(N) IF A PERSON IS FOUND BY THE DISTRICT COURT TO HAVE COMMITTED A VIOLATION:

(1) (I) THE DISTRICT COURT SHALL ORDER THE PERSON TO PAY THE PENALTY SET FORTH IN THE CITATION AND MAY DOUBLE THE AMOUNT OF THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000;

(II) THE PENALTY IMPOSED SHALL CONSTITUTE A JUDGMENT IN FAVOR OF THE STATE BOARD; AND

(III) IF THE PENALTY REMAINS UNPAID FOR 30 DAYS FOLLOWING THE DATE OF ITS ENTRY, THE JUDGMENT SHALL BE ENFORCEABLE IN THE SAME MANNER AND TO THE SAME EXTENT AS OTHER CIVIL JUDGMENTS FOR MONEY UNLESS THE COURT HAS SUSPENDED OR DEFERRED PAYMENT OF THE PENALTY AS PROVIDED IN ITEM (2) OF THIS SUBSECTION;

(2) THE DISTRICT COURT MAY SUSPEND OR DEFER THE PAYMENT OF ANY PENALTY UNDER CONDITIONS THAT THE COURT SETS;

(3) THE DEFENDANT SHALL BE LIABLE FOR THE COSTS OF THE PROCEEDINGS IN THE DISTRICT COURT; AND

(4) THE DISTRICT COURT MAY ORDER THE PERSON TO ABATE THE VIOLATION.

(O) IF A DEFENDANT FAILS TO PAY ANY PENALTY OR COST IMPOSED BY THE DISTRICT COURT WITHOUT GOOD CAUSE, THE DISTRICT COURT MAY PUNISH THE FAILURE AS CONTEMPT OF COURT.

(P) ADJUDICATION OF A VIOLATION UNDER THIS SECTION:

(1) IS NOT A CRIMINAL CONVICTION; AND

(2) DOES NOT IMPOSE ANY OF THE CIVIL DISABILITIES THAT ARISE FROM A CRIMINAL CONVICTION.

(Q) IN A DISTRICT COURT PROCEEDING RELATING TO A VIOLATION UNDER THIS SECTION:

(1) THE STATE PROSECUTOR HAS THE BURDEN TO PROVE THAT THE DEFENDANT HAS COMMITTED THE VIOLATION BY CLEAR AND CONVINCING EVIDENCE;

(2) THE DISTRICT COURT SHALL APPLY THE EVIDENTIARY STANDARDS AS PROVIDED BY LAW OR RULE FOR THE TRIAL OF CIVIL CAUSES;

(3) THE DISTRICT COURT SHALL ENSURE THAT THE DEFENDANT HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT THE DEFENDANT UNDERSTANDS THOSE CHARGES;

(4) THE DEFENDANT MAY CROSS-EXAMINE ALL WITNESSES WHO APPEAR AGAINST THE DEFENDANT, PRODUCE EVIDENCE OR WITNESSES IN THE DEFENDANT'S OWN BEHALF, OR TESTIFY IN THE DEFENDANT'S OWN BEHALF;

(5) THE DEFENDANT SHALL BE ENTITLED TO BE REPRESENTED BY COUNSEL OF THE DEFENDANT'S OWN SELECTION AND AT THE DEFENDANT'S OWN EXPENSE;

(6) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT GUILTY OF THE VIOLATION AS CHARGED; AND

(7) THE VERDICT OF THE DISTRICT COURT SHALL BE GUILTY OF A VIOLATION OR NOT GUILTY OF A VIOLATION, OR THE DISTRICT COURT MAY, BEFORE RENDERING JUDGMENT, PLACE THE DEFENDANT ON PROBATION.

(R) THE STATE BOARD SHALL CONSIDER THE FOLLOWING IN DETERMINING THE AMOUNT OF A PENALTY UNDER THIS SECTION:

(1) THE SEVERITY OF THE VIOLATION FOR WHICH THE PENALTY IS TO BE ASSESSED;

(2) THE GOOD FAITH OF THE VIOLATOR; AND

(3) ANY HISTORY OF PRIOR VIOLATIONS.

(S) PENALTIES COLLECTED UNDER THIS SECTION SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE.

AMENDMENT NO. 4

On pages 10 and 11, strike beginning with line 23 on page 10 down through line 29 on page 11, inclusive.

On page 11, in line 30, strike the brackets; in the same line, strike “(E)”; and in line 33, strike “(F)” and substitute “(E)”.

AMENDMENT NO. 5

On page 4, in line 13, strike “A LOAN,”.

On pages 4 and 5, strike beginning with “ASSISTING” in line 30 on page 4 down through “in” in line 1 on page 5.

On page 8, strike in their entirety lines 4 through 7, inclusive, and substitute:

“(D) A CANDIDATE MAY JOIN A SLATE OR CONTINUE AS A MEMBER OF A SLATE ONLY IF:

(1) THE CANDIDATE HAS FILED A CERTIFICATE OF CANDIDACY;

OR

(2) (I) THE CANDIDATE IS AN INCUMBENT OFFICEHOLDER;

AND

(II) THE DEADLINE FOR FILING A CERTIFICATE OF CANDIDACY FOR THE OFFICE THE CANDIDATE HOLDS HAS NOT PASSED.”.

On page 12, in line 2, strike “AND ANY OTHER BUSINESS” and substitute “**OR OTHER**”; strike beginning with “and” in line 16 down through “(2)” in line 17 and substitute:

“(2) BY THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A MEMBER OF A SLATE TO A SLATE OF WHICH THE CANDIDATE IS A MEMBER;

(3) BY THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEES OF THE CANDIDATES THAT A LEGISLATIVE PARTY CAUCUS COMMITTEE SEEKS TO ELECT TO THE LEGISLATIVE PARTY CAUCUS COMMITTEE; AND

(4);

in line 24, strike the brackets; strike in their entirety lines 25 through 28, inclusive, and substitute:

“(III) THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE.”;

and in line 30, strike “PARAGRAPH (2)” and substitute “**PARAGRAPHS (2) AND (3)**”.

On page 13, in line 2, strike “ONE OR MORE” and substitute “**THE**”; in line 3, strike “COMMITTEES” and substitute “**COMMITTEE**”; and after line 4, insert:

“(3) DURING AN ELECTION CYCLE, A LEGISLATIVE PARTY CAUCUS COMMITTEE MAY NOT MAKE TRANSFERS DIRECTLY TO THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE THAT THE LEGISLATIVE PARTY CAUCUS COMMITTEE SEEKS TO ELECT IN A CUMULATIVE AMOUNT OF MORE THAN \$24,000.”

On page 15, in line 28, after “fortune” insert “**OR A RAFFLE**”; and in line 32, strike “money” and substitute “**CONTRIBUTIONS**”.

On page 16, in line 1, after “chance” insert “**OR A RAFFLE TICKET**”; strike beginning with “purchaser” in line 1 down through “book” in line 2 and substitute “**CONTRIBUTOR ON ITS CAMPAIGN FINANCE REPORTS**”; in line 4, after “committee” insert “**FROM THE RAFFLE, SPIN, OR CHANCE**”; in the same line, after the third “the” insert “**FUNDRAISING**”; in line 6, strike “individual” and substitute “**PERSON**”; in line 10, strike the second “and”; and in line 12, after “\$2,500” insert “;

(5) A RAFFLE IS CONDUCTED IN ACCORDANCE WITH § 12-106(B) OF THE CRIMINAL LAW ARTICLE; AND

(6) THE POLITICAL COMMITTEE INCLUDES ON ITS CAMPAIGN FINANCE REPORT:

(I) A LUMP SUM CONTRIBUTION OF THE NET AMOUNT RECEIVED BY THE POLITICAL COMMITTEE FROM THE RAFFLE, SPIN, OR CHANCE AT THE FUNDRAISING EVENT; AND

(II) THE TOTAL NUMBER OF PERSONS PURCHASING A RAFFLE TICKET, SPIN, OR CHANCE AT THE EVENT".

On page 17, in lines 5 and 8, in each instance, after "ELECTION" insert "YEAR"; and in line 22, strike "ORGANIZED" and substitute "REGISTERED AND FILES THE REPORTS".

On page 18, in line 12, after "(1)" insert "IN THIS SUBSECTION, "ELIGIBLE CONTRIBUTION" MEANS A CONTRIBUTION OR SERIES OF CONTRIBUTIONS MADE BY THE SAME PERSON FOR WHICH A RECEIPT IS NOT REQUIRED TO BE ISSUED UNDER § 13-222 OF THIS TITLE.

(2)";

in line 14, strike "**(2)**" and substitute "**(3)**"; in the same line, strike "PARAGRAPH **(3)**" and substitute "PARAGRAPHS (4) AND (5)"; in line 15, strike "AN AUTHORIZED CANDIDATE CAMPAIGN" and substitute "A POLITICAL"; in line 19, after "AND" insert "RESIDENTIAL"; in the same line, after "CONTRIBUTOR" insert ", UNLESS A CONTRIBUTOR RECEIVES A CONFIDENTIALITY WAIVER FROM THE STATE BOARD FOR A RESIDENTIAL ADDRESS, IN WHICH CASE A SUITABLE ALTERNATIVE ADDRESS APPROVED BY THE STATE BOARD MAY BE USED"; in line 20, strike "**(3)**" and substitute "**(4)**"; in line 21, after the first "IN" insert "ELIGIBLE"; in line 23, strike "**(2)**" and substitute "**(3)**"; and after line 23, insert:

"(5) A POLITICAL COMMITTEE MAY REPORT ELIGIBLE CONTRIBUTIONS COLLECTED IN ACCORDANCE WITH § 13-241 OR § 13-242 OF THIS TITLE ON ITS CAMPAIGN FINANCE REPORTS IN THE MANNER SPECIFIED IN PARAGRAPH (4) OF THIS SUBSECTION IF THE FOLLOWING IS INCLUDED ON THE POLITICAL COMMITTEE'S CAMPAIGN FINANCE REPORT:

(I) A LUMP SUM CONTRIBUTION OF THE TOTAL AMOUNT RECEIVED BY THE POLITICAL COMMITTEE IN THE FORM OF ELIGIBLE CONTRIBUTIONS;

(II) THE NUMBER OF INDIVIDUALS MAKING ELIGIBLE CONTRIBUTIONS; AND

(III) THE AVERAGE AMOUNT OF THE ELIGIBLE CONTRIBUTIONS RECEIVED BY THE POLITICAL COMMITTEE.”.

On page 19, in line 28, after “PERSON” insert “, WHETHER FOR PROFIT OR NOT FOR PROFIT,”.

On page 20, in line 26, strike the second “or”; after line 26, insert:

“2. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13-243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”;

and in line 27, strike “2.” and substitute “3.”.

On page 22, in line 33, strike “IN” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN”.

On page 23, in lines 4 and 7, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 9, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN INDEPENDENT EXPENDITURE REPORT OR AN AMENDED INDEPENDENT EXPENDITURE REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. \$100 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

On page 24, in line 21, after “PERSON” insert “, **WHETHER FOR PROFIT OR NOT FOR PROFIT,**”.

On page 25, in line 23, strike the second “or”; after line 23, insert:

“4. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13–243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”;

and in line 24, strike “4.” and substitute “**5.**”.

On page 28, in line 20, strike “IN” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN**”; in lines 25 and 28, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively; and after line 30, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN ELECTIONEERING COMMUNICATION REPORT OR AN AMENDED ELECTIONEERING COMMUNICATION REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. \$100 FOR EACH DAY OR PART OF A DAY THAT AN ELECTIONEERING COMMUNICATION REPORT OR AMENDED ELECTIONEERING COMMUNICATION REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS THAT WERE NOT REPORTED IN A TIMELY MANNER.

On page 31, in lines 17, 18, 21, and 22, in each instance, after “POLITICAL” insert “ACTION”; strike beginning with “IF” in line 17 down through “EXCLUSIVELY” in line 18, and substitute “THAT EXCLUSIVELY MAKES”; in line 24, after “(D)” insert “(1)”; in the same line, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; after line 26, insert:

“(2) THE POLITICAL ACTION COMMITTEE SHALL INCLUDE ALL OF THE INFORMATION REPORTED ON A DISCLOSURE REPORT ON ITS REGULARLY FILED CAMPAIGN FINANCE REPORTS.”;

and strike in their entirety lines 27 through 30, inclusive, and substitute:

“(E) A POLITICAL ACTION COMMITTEE SHALL FILE A DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR MORE ON CAMPAIGN MATERIAL DURING THE REPORTING PERIOD COVERED BY ITS NEXT CAMPAIGN FINANCE REPORT.”

On page 32, strike in their entirety lines 1 through 6, inclusive, and substitute:

“(F) A POLITICAL ACTION COMMITTEE SHALL FILE AN ADDITIONAL DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR MORE ON CAMPAIGN MATERIAL FOLLOWING THE CLOSING DATE OF THE IMMEDIATELY PRECEDING DISCLOSURE REPORT FILED BY THE POLITICAL ACTION COMMITTEE.”;

in lines 9, 13, 17, and 18, in each instance, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and in lines 12 and 13, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”.

On page 34, in line 11, after “(A)” insert “(1)”; and after line 14, insert:

“(2) WHEN ESTABLISHING A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR ELECTIVE OFFICES IN THE EXECUTIVE OR LEGISLATIVE BRANCHES OF COUNTY GOVERNMENT, THE GOVERNING BODY OF A COUNTY SHALL SPECIFY THE CRITERIA THAT IS TO BE USED TO DETERMINE WHETHER AN INDIVIDUAL IS ELIGIBLE FOR PUBLIC CAMPAIGN FINANCING.”.

On page 40, strike in their entirety lines 12 through 15, inclusive, and substitute:

“(E) (1) “CONTRACT” MEANS AN AGREEMENT IN ANY FORM ENTERED INTO BY A GOVERNMENTAL ENTITY FOR A PROCUREMENT AS DEFINED IN § 11-101(M)(1) OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) “CONTRACT” DOES NOT INCLUDE:

(I) A COLLECTIVE BARGAINING AGREEMENT WITH AN EMPLOYEE ORGANIZATION;

(II) AN AGREEMENT WITH A CONTRACTUAL EMPLOYEE, AS DEFINED IN § 1-101(D) OF THE STATE PERSONNEL AND PENSIONS ARTICLE;

(III) A MEDICAID, JUDICARE, OR SIMILAR REIMBURSEMENT CONTRACT FOR WHICH LAW SETS:

1. USER OR RECIPIENT ELIGIBILITY; AND

2. THE PRICE PAYABLE BY THE STATE; OR

(IV) A MEDICAID CONTRACT WITH A MANAGED CARE ORGANIZATION, AS DEFINED IN § 15-101(E) OF THE HEALTH – GENERAL ARTICLE AS TO WHICH REGULATIONS ADOPTED BY THE DEPARTMENT ESTABLISH:

1. RECIPIENT ELIGIBILITY;

2. MINIMUM QUALIFICATIONS FOR MANAGED CARE ORGANIZATIONS; AND

3. CRITERIA FOR ENROLLING RECIPIENTS IN MANAGED CARE ORGANIZATIONS.

On page 43, in lines 11 and 12, in each instance, strike the bracket.

On page 45, in line 6, strike “A” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A**”; in line 8, strike “VERIFY” and substitute “:

(I) REQUIRE THE PERSON TO CERTIFY”;

strike beginning with “BEFORE” in line 9 down through “CONTRACT.” in line 10 and substitute “**; AND**”; in line 11, strike “**(2) A GOVERNMENTAL ENTITY SHALL**” and substitute “**(II)**”; after line 13, insert:

“(2) THIS SUBSECTION DOES NOT APPLY TO A CONTRACT FOR WHICH NOTICE OF AWARD HAS BEEN POSTED ON EMARYLAND MARKETPLACE.”;

and after line 29, insert:

“(3) LATE FILING FEES IMPOSED UNDER THIS SUBSECTION SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE.”.

AMENDMENT NO. 6

On page 32, after line 24, insert:

“13-309.2.

(A) IN THIS SECTION, “PARTICIPATING ORGANIZATION” MEANS ANY ENTITY THAT IS ORGANIZED UNDER § 501(C)(4) OR (6) OR § 527 OF THE INTERNAL REVENUE CODE AND MAKES:

(1) A CONTRIBUTION TO A CAMPAIGN FINANCE ENTITY FOR THE EXPRESS PURPOSE OF CAUSING THE CAMPAIGN FINANCE ENTITY TO MAKE A DISBURSEMENT IN THE STATE;

(2) A DONATION TO A PERSON FOR THE EXPRESS PURPOSE OF CAUSING THE PERSON TO MAKE AN INDEPENDENT EXPENDITURE OR A DISBURSEMENT FOR ELECTIONEERING COMMUNICATIONS IN THE STATE; OR

(3) A DONATION TO AN OUT-OF-STATE POLITICAL COMMITTEE FOR THE EXPRESS PURPOSE OF CAUSING THE POLITICAL COMMITTEE TO MAKE A DISBURSEMENT IN THE STATE.

(B) WITHIN 48 HOURS AFTER A PARTICIPATING ORGANIZATION MAKES A CONTRIBUTION, DONATION, OR DISBURSEMENT OF \$6,000 OR MORE IN AN ELECTION CYCLE THE PARTICIPATING ORGANIZATION SHALL FILE A REGISTRATION FORM WITH THE STATE BOARD.

(C) A PARTICIPATING ORGANIZATION SHALL FILE A REPORT WITH THE STATE BOARD IN THE YEAR OF THE ELECTION FOR WHICH IT IS PARTICIPATING FOR THE PERIODS AND ON OR BEFORE THE DATES THAT A CAMPAIGN FINANCE ENTITY FOR A CANDIDATE IS REQUIRED TO FILE A CAMPAIGN FINANCE REPORT UNDER THIS SUBTITLE.

(D) THE REPORT SHALL INCLUDE ALL DISBURSEMENTS MADE TO INFLUENCE AN ELECTION IN THE STATE AND EITHER:

(1) THE NAME, ADDRESS, AND OCCUPATION, IF ANY, OF THE FIVE DONORS WHO GAVE THE LARGEST AMOUNT OF MONEY TO THE PARTICIPATING ORGANIZATION TO INFLUENCE AN ELECTION IN THE STATE DURING THE 1-YEAR PERIOD THAT IMMEDIATELY PRECEDES THE DATE OF THE REPORT; OR

(2) IF THE PARTICIPATING ORGANIZATION MADE A FILING WITH THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION WITHIN 6 MONTHS OF THE DATE WHEN A REPORT OTHERWISE WOULD BE REQUIRED, DESCRIBE HOW THE PUBLIC MAY ACCESS VIA THE INTERNET THE PARTICIPATING

ORGANIZATION'S REPORTS THAT DETAIL DISBURSEMENTS MADE AND DONATIONS RECEIVED."

AMENDMENT NO. 7

On page 46, in lines 25 and 29, strike "3." and "4.", respectively, and substitute "4." and "6.", respectively; after line 28, insert:

"SECTION 5. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.";

in line 29, after "That" insert "Sections 1, 2, and 4 of"; and after line 30, insert:

"SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect October 1, 2013."

The preceding 7 amendments were read only.

Senator Ferguson moved, duly seconded, to make the Bill and Amendments a Special Order for April 2, 2013.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1499 – The Speaker (By Request – Commission to Study Campaign Finance Law) and Delegates Cardin, George, and Summers

AN ACT concerning

Campaign Finance Reform Act of 2013

HB1499/744738/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1499

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 18, after “contributions” insert “under certain circumstances; providing an exception”; in line 21, after “time;” insert “requiring certain participating organizations, as defined, making certain contributions or donations or certain disbursements to register with the State Board and file a certain report under certain circumstances; altering the deadline date for certain candidates to file a certificate of candidacy; altering the date by which the State Board shall certify the content and arrangement of a certain ballot;”; in line 32, after “date” insert “for certain provisions of this Act”; in line 35, after “2–102,” insert “5–303, 9–207(a),”; and in line 43, after “13–309.1,” insert “13–309.2,”.

AMENDMENT NO. 2

On pages 4 and 5, strike the lines beginning with line 32 on page 4 through line 9 on page 5, inclusive.

On page 6, strike in their entirety lines 25 through 32, inclusive.

On pages 7 and 8, strike the lines beginning with line 33 on page 7 through line 5 on page 8, inclusive.

On pages 9 and 10, strike the lines beginning with line 13 on page 9 through line 1 on page 10, inclusive.

On pages 14 through 16, strike the lines beginning with line 31 on page 14 through line 23 on page 16, inclusive.

On pages 32 and 33, strike the lines beginning with line 6 on page 32 through line 19 on page 33, inclusive.

On pages 37 through 42, strike the lines beginning with line 21 on page 37 through line 2 on page 42, inclusive.

On page 49, after line 20, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

1-101.

(BB-1) “LEGISLATIVE PARTY CAUCUS COMMITTEE” MEANS A POLITICAL COMMITTEE THAT IS ESTABLISHED TO PROMOTE THE ELECTION OF CANDIDATES OF A SINGLE POLITICAL PARTY TO ONE OF THE TWO HOUSES OF THE GENERAL ASSEMBLY.

(ff) “Political action committee” means a political committee that is not:

(1) a political party;

(2) a central committee;

(3) a slate;

(4) A LEGISLATIVE PARTY CAUCUS COMMITTEE;

[(4)] (5) [a political committee organized and operated solely to support or oppose a single candidate] AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE; or

[(5)] (6) [a political committee organized and operated solely to support or oppose] a ballot issue COMMITTEE.

5-303.

(a) Except as provided in subsections (b) and (c) of this section:

(1) in the year in which the Governor is elected, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday [following the second Tuesday in April in the year in] **THAT IS 24 WEEKS BEFORE THE DAY ON** which the primary election will be held; and

(2) for any other regularly scheduled election, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday that is 83 days before the day on which the primary election will be held.

(b) A certificate of candidacy for an office to be filled by a special election under this article shall be received and filed in the office of the appropriate board not later than 5 p.m. on the Monday that is 3 weeks or 21 days prior to the date for the special primary election specified by the Governor in the proclamation for the special primary election.

(c) The certificate of candidacy for the election of a write-in candidate shall be filed by the earlier of:

(1) 7 days after a total expenditure of at least \$51 is made to promote the candidacy by a campaign finance entity of the candidate; or

(2) 5 p.m. on the Wednesday preceding the day of the election for which the certificate is filed.

9–207.

(a) The State Board shall certify the content and arrangement of each ballot:

(1) for a primary election, no more than 11 days after the filing date provided in § 5–303 of this article;

(2) for a general election[;

(i) in the year that the President of the United States is elected], at least 55 days before the election[; and

(ii) in any other year, not more than 18 days after the primary election];

(3) for a special primary election, at least 18 days before the election;
and

(4) for a special general election, not later than a date specified in the Governor’s proclamation.

13–202.

(a) Unless otherwise expressly authorized by law, all campaign finance activity for an election under this article shall be conducted through a campaign finance entity.

(b) An individual may not file a certificate of candidacy OR A DECLARATION OF INTENT UNDER § 5-703 OR § 5-703.1 OF THIS ARTICLE until the individual establishes, or causes to be established, an authorized [political] CANDIDATE CAMPAIGN committee.

13-208.1.

(A) EACH POLITICAL PARTY MAY ESTABLISH ONE LEGISLATIVE PARTY CAUCUS COMMITTEE FOR EACH HOUSE OF THE GENERAL ASSEMBLY.

(B) THE STATE BOARD SHALL ADOPT REGULATIONS GOVERNING THE ESTABLISHMENT, STRUCTURE, AND OPERATION OF LEGISLATIVE PARTY CAUCUS COMMITTEES.

13-220.1.

(A) EACH CENTRAL COMMITTEE OF A POLITICAL PARTY OR LEGISLATIVE PARTY CAUCUS COMMITTEE MAY ESTABLISH ONE ADMINISTRATIVE ACCOUNT.

(B) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT MAY BE MADE ONLY FOR NONELECTORAL PURPOSES.

(C) A DONATION TO AN ADMINISTRATIVE ACCOUNT:

(1) MAY BE MADE ONLY IF THE DONOR IS AWARE THAT THE DONATION WILL BE USED FOR NONELECTORAL PURPOSES AND CONSENTS TO THAT USE BEFORE MAKING THE DONATION; AND

(2) IS NOT SUBJECT TO § 13-226(B) OF THIS SUBTITLE.

(D) A CAMPAIGN FINANCE ENTITY MAY NOT MAKE A TRANSFER TO AN ADMINISTRATIVE ACCOUNT.

(E) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:

(1) DEFINE PERMISSIBLE NONELECTORAL DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT; AND

(2) REQUIRE DISCLOSURE OF:

(I) DONATIONS TO AN ADMINISTRATIVE ACCOUNT; AND

(II) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT.

13-234.

(a) A contribution of money may be made only by:

(1) check;

(2) credit card;

(3) cash, if the contribution does not exceed \$100 IN AN ELECTION CYCLE; or

(4) an electronic method that the State Board authorizes by regulation.

(b) An electronic method of making a contribution that the State Board authorizes under this section shall ensure that:

(1) the identity of the person making the contribution may be verified;

(2) the transaction is secure; and

(3) there is an adequate record of the transaction.

13-235.

(a) This section applies to the following officials:

- (1) the Governor;
- (2) the Lieutenant Governor;
- (3) the Attorney General;
- (4) the Comptroller; and
- (5) a member of the General Assembly.

(b) Except as provided in subsection (c) [or], (d), OR (E) of this section, during a regular session of the General Assembly an official described in subsection (a) of this section, or a person acting on behalf of the official, may not, as to a candidate for federal, State, or local office, or a campaign finance entity of the candidate or any other campaign finance entity organized under this title and operated in coordination with a candidate:

- (1) receive a contribution;
- (2) conduct a fund-raising event;
- (3) solicit or sell a ticket to a fund-raising event; or
- (4) deposit or use any contribution of money that was not deposited prior to the session.

(c) An official described in subsection (a) of this section, or a person acting on behalf of the official, is not subject to this section when engaged in activities solely related to the official's election to an elective federal or local office for which the official is a filed candidate.

(d) Under the Public Financing Act, a gubernatorial ticket, during the year of the election only, may accept eligible private contributions and any disbursement of funds by the State Board that is based on the eligible private contributions.

(E) AN OFFICIAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION, OR A PERSON ACTING ON BEHALF OF THE OFFICIAL, MAY DEPOSIT A

CONTRIBUTION DURING THE LEGISLATIVE SESSION IF THE CONTRIBUTION WAS MADE ELECTRONICALLY BEFORE THE START OF THE SESSION.

~~[(e)]~~ **(F)** (1) As to a violation of this section, the campaign finance entity of the official in violation is liable for a civil penalty as provided in this subsection.

(2) The State Board, represented by the State Prosecutor, may institute a civil action in the circuit court for any county seeking the civil penalty provided in this subsection.

(3) A campaign finance entity that receives a contribution as a result of the violation shall:

(i) refund the contribution to the contributor; and

(ii) pay a civil penalty that equals the sum of \$1,000 plus the amount of the contribution.

13-309.

(a) Subject to other provisions of this subtitle **AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION**, a campaign finance entity shall file campaign finance reports as follows:

(1) except for a ballot issue committee, on or before the fourth Tuesday immediately preceding each primary election **[except a presidential primary election]**;

(2) except for a ballot issue committee, on or before the second Friday immediately preceding a primary election;

(3) ON OR BEFORE THE LAST TUESDAY IN AUGUST IMMEDIATELY PRECEDING A GENERAL ELECTION;

~~[(3)]~~ **(4)** for a ballot issue committee only, on or before the fourth Friday immediately preceding a general election;

~~[(4)]~~ **(5)** on or before the second Friday immediately preceding a general election; and

[(5)] (6) on or before the third Tuesday after a general election.

(b) (1) A campaign finance entity is subject to subsection (a) of this section and this subsection only as to the election in which the entity designates that it will participate.

(2) In addition to the campaign finance reports required under subsection (a) of this section, but subject to paragraph (4) of this subsection, a campaign finance entity shall file A campaign finance [reports] REPORT on the third Wednesday in January.

(3) (i) If subsequent to the filing of its declaration under § 13-208(c)(3) of this title, a campaign finance entity participates in an election in which it was not designated to participate, the campaign finance entity shall file all campaign FINANCE reports prescribed under subsection (a) of this section for that election.

(ii) A violation of subparagraph (i) of this paragraph constitutes a failure to file by the campaign finance entity, and the responsible officer is guilty of a misdemeanor and on conviction is subject to the penalties prescribed under Part VII of this subtitle.

(4) If a campaign finance entity has neither a cash balance nor an outstanding obligation at the end of a reporting period, a campaign finance report for that period, clearly marked as “final”, shall be filed on or before the due date, and no further report is required.

(c) In addition to the campaign FINANCE reports required under subsection (a) of this section, a continuing political committee shall file a campaign finance report on the third Wednesday in January of each year the committee is in existence.

(D) AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE FOR ELECTION TO THE CENTRAL COMMITTEE OF A POLITICAL PARTY:

(1) SHALL FILE A CAMPAIGN FINANCE REPORT ON OR BEFORE THE THIRD TUESDAY AFTER A GUBERNATORIAL PRIMARY ELECTION; AND

(2) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION AND § 13-310 OF THIS SUBTITLE, IS NOT REQUIRED TO FILE ANY OTHER CAMPAIGN FINANCE REPORTS.

13-604.1.

(A) IN THIS SECTION, “PERSON” INCLUDES A POLITICAL COMMITTEE.

(B) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY IN ACCORDANCE WITH THIS SECTION FOR THE FOLLOWING VIOLATIONS:

(1) MAKING A DISBURSEMENT IN A MANNER NOT AUTHORIZED IN § 13-218(B)(2), (C), AND (D) OF THIS TITLE;

(2) FAILURE TO MAINTAIN A CAMPAIGN BANK ACCOUNT AS REQUIRED IN § 13-220(A) OF THIS TITLE;

(3) MAKING A DISBURSEMENT BY A METHOD NOT AUTHORIZED IN § 13-220(D) OF THIS TITLE;

(4) FAILURE TO MAINTAIN DETAILED AND ACCURATE ACCOUNT BOOKS AND RECORDS AS REQUIRED IN § 13-221 OF THIS TITLE;

(5) FAILURE TO REPORT ALL CONTRIBUTIONS RECEIVED AND EXPENDITURES MADE AS REQUIRED IN § 13-304(B) OF THIS TITLE;

(6) FAILURE TO INCLUDE AN AUTHORITY LINE ON CAMPAIGN MATERIAL AS REQUIRED IN § 13-401 OF THIS TITLE; OR

(7) FAILURE TO RETAIN A COPY OF CAMPAIGN MATERIAL AS REQUIRED IN § 13-403 OF THIS TITLE.

(C) A CIVIL PENALTY IMPOSED UNDER THIS SECTION FOR A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION IS IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW.

(D) THE AMOUNT OF A CIVIL PENALTY IMPOSED UNDER THIS SECTION MAY NOT EXCEED \$500 FOR EACH VIOLATION.

(E) THE CIVIL PENALTY IS PAYABLE TO THE STATE BOARD BY THE PERSON CHARGED IN A CITATION WITHIN 20 CALENDAR DAYS AFTER SERVICE OF THE CITATION.

(F) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A CIVIL PENALTY IMPOSED UNDER THIS SECTION SHALL BE PAID BY THE CAMPAIGN FINANCE ENTITY.

(2) IF THE CAMPAIGN FINANCE ENTITY HAS INSUFFICIENT FUNDS WITH WHICH TO PAY THE FULL AMOUNT OF THE CIVIL PENALTY IN A TIMELY MANNER, AFTER THE CAMPAIGN ACCOUNT OF THE FINANCE ENTITY IS EXHAUSTED THE BALANCE OF THE CIVIL PENALTY IS THE JOINT AND SEVERAL LIABILITY OF THE RESPONSIBLE OFFICERS.

(3) IF A VIOLATION IS COMMITTED BY A PERSON NOT ACTING ON BEHALF OF, OR AT THE REQUEST OR SUGGESTION OF, A CANDIDATE OR A CAMPAIGN FINANCE ENTITY, THE CIVIL PENALTY SHALL BE PAID BY THE PERSON WHO COMMITTED THE VIOLATION.

(G) THE STATE BOARD MAY ISSUE A CITATION TO ANY PERSON THE STATE BOARD BELIEVES IS COMMITTING OR HAS COMMITTED A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION.

(H) THE CITATION SHALL BE SERVED ON THE DEFENDANT IN ACCORDANCE WITH THE MARYLAND RULES.

(I) THE CITATION SHALL CONTAIN:

(1) THE CERTIFICATION BY THE STATE BOARD ATTESTING TO THE TRUTH OF THE MATTER SET FORTH IN THE CITATION;

(2) THE NAME AND ADDRESS OF THE PERSON CHARGED;

(3) THE NATURE, TIME, AND PLACE OF THE VIOLATION;

(4) THE MANNER IN WHICH THE VIOLATION OCCURRED;

(5) THE AMOUNT OF THE PENALTY ASSESSED;

(6) THE MANNER, TIME, AND LOCATION TO PAY THE PENALTY;

(7) A STATEMENT THAT THE PERSON RECEIVING THE CITATION HAS A RIGHT TO TRIAL IN THE DISTRICT COURT; AND

(8) THE EFFECT OF FAILING TO PAY THE ASSESSED FINE OR OF FAILING TO DEMAND A TRIAL WITHIN THE PRESCRIBED TIME.

(J) (1) A PERSON CHARGED IN A CITATION MAY ELECT TO STAND TRIAL FOR THE VIOLATION BY NOTIFYING THE STATE BOARD IN WRITING OF THE PERSON'S INTENT TO STAND TRIAL.

(2) THE WRITTEN NOTICE SHALL BE GIVEN AT LEAST 5 DAYS BEFORE THE DATE OF PAYMENT AS SET FORTH IN THE CITATION.

(K) (1) ON RECEIPT OF THE WRITTEN NOTICE OF INTENT TO STAND TRIAL, THE STATE BOARD SHALL FORWARD TO THE STATE PROSECUTOR A COPY OF THE CITATION AND THE WRITTEN NOTICE.

(2) THE STATE PROSECUTOR SHALL FORWARD TO THE DISTRICT COURT HAVING VENUE A COPY OF THE CITATION AND THE WRITTEN NOTICE.

(3) ON RECEIPT OF THE CITATION AND THE WRITTEN NOTICE:

(I) THE STATE PROSECUTOR SHALL ASSUME RESPONSIBILITY FOR PROSECUTING THE VIOLATION; AND

(II) THE DISTRICT COURT SHALL SCHEDULE THE CASE FOR TRIAL, NOTIFY THE DEFENDANT OF THE TRIAL DATE, AND SUMMON THE DEFENDANT TO APPEAR.

(L) (1) IF A PERSON CHARGED IN A CITATION FAILS TO PAY THE PENALTY BY THE DATE OF PAYMENT SET FORTH IN THE CITATION AND FAILS TO DELIVER TO THE STATE BOARD THE WRITTEN NOTICE OF INTENT TO STAND TRIAL, THE PERSON IS LIABLE FOR THE ASSESSED PENALTY.

(2) THE STATE PROSECUTOR, ON BEHALF OF THE STATE BOARD, MAY DOUBLE THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000 AND REQUEST ADJUDICATION OF THE CASE THROUGH THE DISTRICT COURT BY FILING A DEMAND FOR JUDGMENT ON AFFIDAVIT.

(M) THE DEFENDANT'S FAILURE TO RESPOND TO THE SUMMONS OF THE DISTRICT COURT SHALL RESULT IN THE ENTRY OF JUDGMENT AGAINST THE DEFENDANT IN FAVOR OF THE STATE BOARD IN THE AMOUNT SET FORTH IN THE CITATION IF A PROPER DEMAND FOR JUDGMENT ON AFFIDAVIT HAS BEEN MADE.

(N) IF A PERSON IS FOUND BY THE DISTRICT COURT TO HAVE COMMITTED A VIOLATION:

(1) (I) THE DISTRICT COURT SHALL ORDER THE PERSON TO PAY THE PENALTY SET FORTH IN THE CITATION AND MAY DOUBLE THE AMOUNT OF THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000;

(II) THE PENALTY IMPOSED SHALL CONSTITUTE A JUDGMENT IN FAVOR OF THE STATE BOARD; AND

(III) IF THE PENALTY REMAINS UNPAID FOR 30 DAYS FOLLOWING THE DATE OF ITS ENTRY, THE JUDGMENT SHALL BE ENFORCEABLE IN THE SAME MANNER AND TO THE SAME EXTENT AS OTHER CIVIL JUDGMENTS FOR MONEY UNLESS THE COURT HAS SUSPENDED OR DEFERRED PAYMENT OF THE PENALTY AS PROVIDED IN ITEM (2) OF THIS SUBSECTION;

(2) THE DISTRICT COURT MAY SUSPEND OR DEFER THE PAYMENT OF ANY PENALTY UNDER CONDITIONS THAT THE COURT SETS;

(3) THE DEFENDANT SHALL BE LIABLE FOR THE COSTS OF THE PROCEEDINGS IN THE DISTRICT COURT; AND

(4) THE DISTRICT COURT MAY ORDER THE PERSON TO ABATE THE VIOLATION.

(O) IF A DEFENDANT FAILS TO PAY ANY PENALTY OR COST IMPOSED BY THE DISTRICT COURT WITHOUT GOOD CAUSE, THE DISTRICT COURT MAY PUNISH THE FAILURE AS CONTEMPT OF COURT.

(P) ADJUDICATION OF A VIOLATION UNDER THIS SECTION:

(1) IS NOT A CRIMINAL CONVICTION; AND

(2) DOES NOT IMPOSE ANY OF THE CIVIL DISABILITIES THAT ARISE FROM A CRIMINAL CONVICTION.

(Q) IN A DISTRICT COURT PROCEEDING RELATING TO A VIOLATION UNDER THIS SECTION:

(1) THE STATE PROSECUTOR HAS THE BURDEN TO PROVE THAT THE DEFENDANT HAS COMMITTED THE VIOLATION BY CLEAR AND CONVINCING EVIDENCE;

(2) THE DISTRICT COURT SHALL APPLY THE EVIDENTIARY STANDARDS AS PROVIDED BY LAW OR RULE FOR THE TRIAL OF CIVIL CAUSES;

(3) THE DISTRICT COURT SHALL ENSURE THAT THE DEFENDANT HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT THE DEFENDANT UNDERSTANDS THOSE CHARGES;

(4) THE DEFENDANT MAY CROSS-EXAMINE ALL WITNESSES WHO APPEAR AGAINST THE DEFENDANT, PRODUCE EVIDENCE OR WITNESSES IN THE DEFENDANT'S OWN BEHALF, OR TESTIFY IN THE DEFENDANT'S OWN BEHALF;

(5) THE DEFENDANT SHALL BE ENTITLED TO BE REPRESENTED BY COUNSEL OF THE DEFENDANT'S OWN SELECTION AND AT THE DEFENDANT'S OWN EXPENSE;

(6) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT GUILTY OF THE VIOLATION AS CHARGED; AND

(7) THE VERDICT OF THE DISTRICT COURT SHALL BE GUILTY OF A VIOLATION OR NOT GUILTY OF A VIOLATION, OR THE DISTRICT COURT MAY, BEFORE RENDERING JUDGMENT, PLACE THE DEFENDANT ON PROBATION.

(R) THE STATE BOARD SHALL CONSIDER THE FOLLOWING IN DETERMINING THE AMOUNT OF A PENALTY UNDER THIS SECTION:

(1) THE SEVERITY OF THE VIOLATION FOR WHICH THE PENALTY IS TO BE ASSESSED;

(2) THE GOOD FAITH OF THE VIOLATOR; AND

(3) ANY HISTORY OF PRIOR VIOLATIONS.

(S) PENALTIES COLLECTED UNDER THIS SECTION SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE.”.

AMENDMENT NO. 3

On pages 11 and 12, strike in their entirety the lines beginning with line 12 on page 11 down through line 16 on page 12, inclusive.

On page 12, in line 17, strike the brackets; in the same line, strike “(E)”; and in line 20, strike “(F)” and substitute “(E)”.

On page 18, in line 30, strike “ORGANIZED” and substitute “**REGISTERED AND FILES THE REPORTS**”.

On page 19, in line 26, strike “AN AUTHORIZED CANDIDATE CAMPAIGN” and substitute “**A POLITICAL**”.

AMENDMENT NO. 4

On page 22, strike in their entirety lines 24 through 27, inclusive, and substitute:

“2. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13–243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”.

On page 24, in line 33, strike “IN” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN**”.

On page 25, in lines 4 and 7, strike “(I)” and “(II)”, respectively, and substitute “**1.**” and “**2.**”, respectively; and after line 9, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN INDEPENDENT EXPENDITURE REPORT OR AN AMENDED INDEPENDENT EXPENDITURE REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. \$100 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

On page 27, strike in their entirety lines 24 through 27, inclusive, and substitute:

“4. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE

FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13-243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”.

On page 30, in line 23, strike “IN” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN”; in lines 28 and 31, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 33, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN ELECTIONEERING COMMUNICATION REPORT OR AN AMENDED ELECTIONEERING COMMUNICATION REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. \$100 FOR EACH DAY OR PART OF A DAY THAT AN ELECTIONEERING COMMUNICATION REPORT OR AMENDED ELECTIONEERING COMMUNICATION REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

AMENDMENT NO. 5

On page 33, in lines 23 and 27, in each instance, after “POLITICAL” insert “ACTION”; in lines 23 and 24, strike “IF THE EXPENDITURES OF THE POLITICAL COMMITTEE ARE EXCLUSIVELY” and substitute “THAT EXCLUSIVELY MAKES”; in line 30, after “(D)” insert “(1)”; in the same line, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and after line 32, insert:

“(2) THE POLITICAL ACTION COMMITTEE SHALL INCLUDE ALL OF THE INFORMATION REPORTED ON A DISCLOSURE REPORT ON ITS REGULARLY FILED CAMPAIGN FINANCE REPORTS.”.

On page 34, strike in their entirety lines 1 through 10, inclusive, and substitute:

“(E) A POLITICAL ACTION COMMITTEE SHALL FILE A DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR MORE ON CAMPAIGN MATERIAL DURING THE REPORTING PERIOD COVERED BY ITS NEXT CAMPAIGN FINANCE REPORT.

“(F) A POLITICAL ACTION COMMITTEE SHALL FILE AN ADDITIONAL DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR MORE ON CAMPAIGN MATERIAL FOLLOWING THE CLOSING DATE OF THE IMMEDIATELY PRECEDING DISCLOSURE REPORT FILED BY THE POLITICAL ACTION COMMITTEE.”;

in lines 13, 21, and 22, in each instance, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and in lines 16 and 17, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”.

On page 36, in line 12, after “(A)” insert “(1)”; and after line 15, insert:

“(2) WHEN ESTABLISHING A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR ELECTIVE OFFICES IN THE EXECUTIVE OR LEGISLATIVE BRANCHES OF COUNTY GOVERNMENT, THE GOVERNING BODY OF A COUNTY SHALL SPECIFY THE CRITERIA THAT IS TO BE USED TO DETERMINE WHETHER AN INDIVIDUAL IS ELIGIBLE FOR PUBLIC CAMPAIGN FINANCING.”.

AMENDMENT NO. 6

On page 34, after line 28, insert:

“13-309.2.

(A) IN THIS SECTION, “PARTICIPATING ORGANIZATION” MEANS ANY ENTITY THAT IS ORGANIZED UNDER § 501(C)(4) OR (6) OR § 527 OF THE INTERNAL REVENUE CODE AND MAKES:

(1) A CONTRIBUTION TO A CAMPAIGN FINANCE ENTITY FOR THE EXPRESS PURPOSE OF CAUSING THE CAMPAIGN FINANCE ENTITY TO MAKE A DISBURSEMENT IN THE STATE;

(2) A DONATION TO A PERSON FOR THE EXPRESS PURPOSE OF CAUSING THE PERSON TO MAKE AN INDEPENDENT EXPENDITURE OR A DISBURSEMENT FOR ELECTIONEERING COMMUNICATIONS IN THE STATE; OR

(3) A DONATION TO AN OUT-OF-STATE POLITICAL COMMITTEE FOR THE EXPRESS PURPOSE OF CAUSING THE POLITICAL COMMITTEE TO MAKE A DISBURSEMENT IN THE STATE.

(B) WITHIN 48 HOURS AFTER A PARTICIPATING ORGANIZATION MAKES A CONTRIBUTION, DONATION, OR DISBURSEMENT OF \$6,000 OR MORE IN AN ELECTION CYCLE THE PARTICIPATING ORGANIZATION SHALL FILE A REGISTRATION FORM WITH THE STATE BOARD.

(C) A PARTICIPATING ORGANIZATION SHALL FILE A REPORT WITH THE STATE BOARD IN THE YEAR OF THE ELECTION FOR WHICH IT IS PARTICIPATING FOR THE PERIODS AND ON OR BEFORE THE DATES THAT A CAMPAIGN FINANCE ENTITY FOR A CANDIDATE IS REQUIRED TO FILE A CAMPAIGN FINANCE REPORT UNDER THIS SUBTITLE.

(D) THE REPORT SHALL INCLUDE ALL DISBURSEMENTS MADE TO INFLUENCE AN ELECTION IN THE STATE AND EITHER:

(1) THE NAME, ADDRESS, AND OCCUPATION, IF ANY, OF THE FIVE DONORS WHO GAVE THE LARGEST AMOUNT OF MONEY TO THE PARTICIPATING ORGANIZATION TO INFLUENCE AN ELECTION IN THE STATE DURING THE 1 YEAR PERIOD THAT IMMEDIATELY PRECEDES THE DATE OF THE REPORT; OR

(2) IF THE PARTICIPATING ORGANIZATION MADE A FILING WITH THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION WITHIN 6 MONTHS OF THE DATE WHEN A REPORT OTHERWISE WOULD BE REQUIRED, DESCRIBE HOW THE PUBLIC MAY ACCESS VIA THE INTERNET THE PARTICIPATING ORGANIZATION'S REPORTS THAT DETAIL DISBURSEMENTS MADE AND DONATIONS RECEIVED."

On page 47, in line 31, strike “A” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A”.

On page 48, in line 1, strike “REQUIRE” and substitute “: (I) REQUIRE”; in line 2, after “TITLE” insert “; AND”; in line 3, strike the period; in line 4, strike “(2) A GOVERNMENTAL ENTITY SHALL” and substitute “(II)”; in line 5, strike “OF THE NAMES AND CONTACT INFORMATION OF PERSONS” and substitute “IF A PERSON”; in lines 6 and 7, strike “WHO ARE REQUIRED” and substitute “FAILS”; strike beginning with “WITHIN” in line 8 down through “ENTITY” in line 9; and after line 9, insert:

“(2) THIS SUBSECTION DOES NOT APPLY TO A CONTRACT FOR WHICH NOTICE OF AWARD HAS BEEN POSTED ON eMARYLAND MARKETPLACE.”.

AMENDMENT NO. 8

On page 49, in lines 21, 25, and 31, strike “3.”, “4.”, and “5.”, respectively, and substitute “4.”, “5.”, and “6.”, respectively; in line 29, strike the second comma; in line 31, after “That” insert “Sections 1, 2, and 4 of”; and after line 32, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect October 1, 2013.”.

The preceding 8 amendments were read only.

Senator Ferguson moved, duly seconded, to make the Bill and Amendments a Special Order for April 2, 2013.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 1066 – Senator Pugh

AN ACT concerning

Minority Business Enterprises – Not-for-Profit Entities

SB1066/744633/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1066

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “requiring certain entities to include in certain contracts a certain requirement for procuring janitorial products;”; in line 14, after “goals;” insert “requiring certain State or State aided or controlled entities, the University System of Maryland, St. Mary’s College of Maryland, and Morgan State University to submit certain forecasts and reports to the Department of General Services on or before certain dates; requiring certain preferred providers to report to the Department of General Services on or before a certain date; requiring the Department of General Services to report to the Board of Public Works and certain committees of the General Assembly on or before a certain date; requiring the Department of General Services, on or before a certain date, to identify certain State or State aided or controlled entities required to submit certain reports;”; in line 15, strike “studies” and substitute “evaluations”; in the same line, after “submit” insert “certain reports”; in line 16, strike “the Legislative Policy Committee a final report on the studies” and substitute “certain committees”; in the same line, strike “a”; in line 17, strike “date” and substitute “dates”; in the same line, strike “a”; in the same line, strike “term;” and substitute “terms; providing for a delayed effective date for certain provisions of this Act;”; in line 22, after “Section” insert “14–101 through 14–103,”; and in line 27, after “Section” insert “14–110 and”.

AMENDMENT NO. 2

On page 2, after line 5, insert:

“14–101.

(a) In this subtitle the following words have the meanings indicated.

(b) “Community service provider” means an entity that:

(1) is organized under the laws of the United States or this State;

(2) is accredited by the Division of Rehabilitation Services of the State Department of Education for participation in the Employment Works Program;

(3) is operated in the interest of individuals who have a mental or physical disability, including blindness, that:

(i) constitutes a substantial barrier to employment; and

(ii) prevents the individual from engaging in competitive employment; and

(4) does not inure net income wholly or partly to the benefit of any shareholder or other individual.

(c) “Individual with disability owned business” means a business:

(1) that is organized under the laws of the United States or the State;

(2) that is majority owned by an individual or individuals determined by the Division of Rehabilitation Services in the State Department of Education to have a disability, as defined by Title 21, Subtitle 3 of the Education Article;

(3) whose majority owner or owners are directly and significantly engaged in the daily operation of the business;

(4) whose workforce includes individuals with disabilities comprising a percentage of the workforce that is at or above the minimum required under the policies or guidelines established by the Pricing and Selection Committee for the Employment Works Program;

(5) whose total gross revenues for contracts assigned under the Program at the time of assignment do not exceed the maximum allowed under policies or guidelines established by the Pricing and Selection Committee for the Employment Works Program; and

(6) that continues to meet all other eligibility criteria established by the Pricing and Selection Committee for the Employment Works Program.

(D) “PREFERRED PROVIDER” MEANS A PROVIDER OF SUPPLIES OR SERVICES GIVEN PREFERENCE IN § 14–103 OF THIS SUBTITLE.

[(d)](E) “State aided or controlled entity” means any public or quasi–public institution that receives aid from the State or that is owned, controlled, or managed by the State.

14-102.

(a) Notwithstanding any other provision of this Division II, [the] A State OR STATE AIDED OR CONTROLLED ENTITY shall buy supplies and services in accordance with § 14-103 OF this subtitle.

(b) The procurement of services from a sheltered workshop is not subject to the cost savings requirements of § 13-405 of the State Personnel and Pensions Article.

14-103.

(a) [The] A State or [a] State aided or controlled entity shall buy supplies and services from:

(1) Maryland Correctional Enterprises, as provided in Title 3, Subtitle 5 of the Correctional Services Article, if State Use Industries provides the supplies or services;

(2) Blind Industries and Services of Maryland, if:

(i) Blind Industries and Services of Maryland provides the supplies or services; and

(ii) Maryland Correctional Enterprises does not provide the supplies or services;

(3) the Employment Works Program established under § 14-108 of this subtitle, if:

(i) a community service provider provides the supplies or services;

(ii) neither Maryland Correctional Enterprises nor Blind Industries and Services of Maryland provides the supplies or services; and

(iii) the State or a State aided or controlled entity is not required by law to buy the supplies or services from any other unit of the State government; or

(4) individual with disability owned businesses if:

(i) an individual with disability owned business provides the supplies or services;

(ii) neither Maryland Correctional Enterprises, Blind Industries and Services of Maryland, nor a community service provider provides the supplies or services; and

(iii) [the] A State or [a] State aided or controlled entity is not required by law to buy the supplies or services from any other unit of the State government.

(b) [The] A State or [a] State aided or controlled entity shall give preference to the [entities] PROVIDERS listed under subsection (a) of this section in the order that the [entities] PROVIDERS are listed.

(C) TO THE EXTENT PRACTICABLE, A STATE OR STATE AIDED OR CONTROLLED ENTITY SHALL INCLUDE IN A MAINTENANCE CONTRACT THAT HAS A COMPONENT FOR HOUSEKEEPING OR JANITORIAL SERVICES, A REQUIREMENT THAT A PRIME CONTRACTOR PROCURE JANITORIAL PRODUCTS FROM BLIND INDUSTRIES AND SERVICES OF MARYLAND WHEN THE SPECIFIED PRODUCTS ARE AVAILABLE.

14-110.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, SUBSECTIONS (B) AND (C) OF THIS SECTION APPLY TO:

(1) A STATE OR STATE AIDED OR CONTROLLED ENTITY THAT IS:

(I) SUBJECT TO THE REQUIREMENTS OF § 14-103 OF THIS SUBTITLE AND § 14-305 OF THIS TITLE; OR

(II) IDENTIFIED BY THE DEPARTMENT OF GENERAL SERVICES; AND

(2) THE UNIVERSITY SYSTEM OF MARYLAND, ST. MARY'S COLLEGE OF MARYLAND, AND MORGAN STATE UNIVERSITY.

(B) (1) WITHIN 60 DAYS AFTER THE ENACTMENT OF THE BUDGET BILL BY THE GENERAL ASSEMBLY, EACH STATE OR STATE AIDED OR CONTROLLED ENTITY SHALL PREPARE AND SUBMIT TO THE DEPARTMENT OF GENERAL SERVICES A FISCAL YEAR PROCUREMENT EXPENDITURE FORECAST THAT DETAILS THE EXPECTED EXPENDITURES AND CONTRACTS TO BE AWARDED UNDER § 14-103 OF THIS SUBTITLE IN THE NEXT FISCAL YEAR.

(2) THE FORECAST REQUIRED BY PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE ACTIVITIES PLANNED TO INCREASE THE NUMBER OF CONTRACTS AWARDED UNDER § 14-103 OF THIS SUBTITLE.

(C) (1) WITHIN 90 DAYS AFTER THE END OF EACH FISCAL YEAR, A STATE OR STATE AIDED OR CONTROLLED ENTITY SHALL SUBMIT A REPORT TO THE DEPARTMENT OF GENERAL SERVICES THAT COMPLIES WITH THE REQUIREMENTS OF PARAGRAPH (2) OF THIS SUBSECTION.

(2) FOR THE PRECEDING FISCAL YEAR, THE REPORT SHALL INCLUDE:

(I) THE TOTAL NUMBER AND THE DOLLAR VALUE OF CONTRACTS AWARDED BY THE STATE OR STATE AIDED OR CONTROLLED ENTITY TO A PREFERRED PROVIDER;

(II) THE TOTAL NUMBER AND THE DOLLAR VALUE OF PAYMENTS MADE BY A STATE OR STATE AIDED OR CONTROLLED ENTITY TO A PREFERRED PROVIDER, INCLUDING PURCHASE CARD PROCUREMENTS;

(III) THE TOTAL NUMBER AND THE DOLLAR VALUE OF CONTRACTS AWARDED BY THE STATE OR STATE AIDED OR CONTROLLED ENTITY TO A PROVIDER OTHER THAN A PREFERRED PROVIDER;

(IV) THE TOTAL NUMBER AND THE DOLLAR VALUE OF PAYMENTS MADE BY THE STATE OR STATE AIDED OR CONTROLLED ENTITY TO A

PROVIDER OTHER THAN A PREFERRED PROVIDER, INCLUDING PURCHASE CARD PROCUREMENTS;

(V) THE PERCENTAGE THAT THE CONTRACTS TO PREFERRED PROVIDERS REPRESENT OF THE TOTAL NUMBER OF PROCUREMENT CONTRACTS;

(VI) THE PERCENTAGE THAT THE PAYMENTS TO PREFERRED PROVIDERS REPRESENT OF THE TOTAL VALUE OF PAYMENTS; AND

(VII) ANY OTHER INFORMATION REQUIRED BY THE DEPARTMENT OF GENERAL SERVICES.

(D) (1) WITHIN 90 DAYS AFTER THE END OF EACH FISCAL YEAR, A PREFERRED PROVIDER AWARDED A CONTRACT IN ACCORDANCE WITH § 14-103 OF THIS SUBTITLE SHALL REPORT TO THE DEPARTMENT OF GENERAL SERVICES IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

(2) FOR THE PRECEDING FISCAL YEAR, THE REPORT SHALL STATE THE TOTAL NUMBER OF FULL-TIME EQUIVALENTS FOR INDIVIDUALS WITH DISABILITIES WHO CONTRIBUTED TO THE WORK OF THE CONTRACTS.

(E) WITHIN 60 DAYS AFTER RECEIPT OF ALL OF THE REPORTS REQUIRED UNDER SUBSECTIONS (C) AND (D) OF THIS SECTION, THE DEPARTMENT OF GENERAL SERVICES SHALL SUBMIT A SUMMARY OF THE INFORMATION TO:

(1) THE BOARD OF PUBLIC WORKS; AND

(2) IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE, THE HOUSE HEALTH AND GOVERNMENT OPERATIONS COMMITTEE, AND THE LEGISLATIVE POLICY COMMITTEE.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – State Finance and Procurement”.AMENDMENT NO. 3

On page 3, strike beginning with “A” in line 5 down through “INDIVIDUALS” in line 7 and substitute “A CORPORATION THAT:

(1) IS INCORPORATED IN THE STATE OR OTHERWISE QUALIFIED TO DO BUSINESS IN THE STATE;

(2) HAS BEEN DETERMINED BY THE INTERNAL REVENUE SERVICE TO BE EXEMPT FROM TAXATION UNDER § 501(C)(3), (4), OR (6) OF THE INTERNAL REVENUE CODE; AND

(3) IS ORGANIZED TO PROMOTE THE INTERESTS OF PHYSICALLY OR MENTALLY DISABLED INDIVIDUALS”.

AMENDMENT NO. 4

On page 5, in line 2, strike “AND”; and in line 5, after “LAW” insert “; AND

C. A PROCUREMENT BY THE MARYLAND DEVELOPMENTAL DISABILITIES ADMINISTRATION OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE FOR FAMILY AND INDIVIDUAL SUPPORT SERVICES, COMMUNITY RESIDENTIAL SERVICES, RESOURCE COORDINATION SERVICES, BEHAVIORAL SUPPORT SERVICES, VOCATIONAL AND DAY SERVICES, AND RESPITE SERVICES, AS THOSE TERMS ARE DEFINED IN REGULATIONS ADOPTED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE”.

AMENDMENT NO. 5

On page 6, in line 24, after “(12)” insert “(I)”; in the same line, strike “A” and substitute “EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A”; in line 26, strike “2013” and substitute “2015”; in line 27, strike “HOWEVER:” and substitute “INCLUDING ALL OPTIONS, RENEWALS, AND OTHER EXTENSIONS.”; in line 28, strike “(I) THE” and substitute “(II) 1. THE”; in line 30, strike “; AND” and substitute a period; in line 31, strike “(II) THE” and substitute “2. THE”; after line 34, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before July 1, 2015, the Department of General Services shall identify the State or State aided or controlled entities required to submit reports under § 14–110 of the State Finance and Procurement Article, as enacted by Section 1 of this Act.”;

and in line 35, strike “2.” and substitute “4.”.

On page 7, in line 2, strike “Office of the Attorney General” and substitute “Department of General Services”; in line 3, strike “Section 1” and substitute “Sections 1 and 2”; in line 4, strike “on” and substitute “in”; in line 5, after “procurement” insert “and, to the extent practicable, related activities.”; strike beginning with the first “and” in line 5 down through “information” in line 14 and substitute:

“(b) On or before December 1, 2015, the Department of Disabilities shall submit an interim report on the evaluation to the Senate Education, Health, and Environmental Affairs Committee, the House Health and Government Operations Committee, and the Legislative Policy Committee of the General Assembly in accordance with § 2–1246 of the State Government Article”;

in line 15, strike “2013” and substitute “2016”; in line 16, after “to” insert “the Senate Education, Health, and Environmental Affairs Committee, the House Health and Government Operations Committee, and”; in lines 18 and 22, strike “3.” and “4.”, respectively, and substitute “5.” and “7.”, respectively; after line 21, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That Sections 2 and 4 of this Act shall take effect July 1, 2015.”;

and in line 22, after “That” insert “, except as provided in Section 6 of this Act.”.

The preceding 5 amendments were 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 #41

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

Senate Bill 522 – Senator Young

AN ACT concerning

Frederick Regional Higher Education Advisory Board

Favorable report adopted.

FLOOR AMENDMENT

SB0522/543722/1

BY: Senator Brinkley

AMENDMENT TO SENATE BILL 522

(Bill as Printed for Third Reading)

On page 4, strike in their entirety lines 25 and 26 and substitute:

“(3) REVIEW THE EFFICACY OF ESTABLISHING A FREDERICK REGIONAL HIGHER EDUCATION CENTER OR OTHER SITES TO ADDRESS UNMET HIGHER EDUCATION NEEDS;”.

The preceding amendment was read only.

Senator Brinkley moved, duly seconded, to make the Bill and Amendment a Special Order for April 2, 2013.

The motion was rejected by a roll call vote as follows:

Affirmative – 16 Negative – 28 (See Roll Call No. 847)

The preceding floor amendment was withdrawn.

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 676 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)

AN ACT concerning

Governmental Procedures – Security and Protection of Information

SB0676/514235/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 676

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “a resident’s” and substitute “an individual’s”; in lines 4, 5 and 6, 7, and 10, in each instance, strike “or private”; in line 4, strike “resident” and substitute “individual”; in lines 7 and 10, in each instance, strike “a resident” and substitute “an individual”; in line 11, strike “and” and substitute “; requiring, except under certain circumstances, a unit or, under certain circumstances, a nonaffiliated third party to”; strike beginning with “establishing” in line 25 down through “regulations;” in line 28 and substitute “providing that a unit or nonaffiliated third party that complies with certain provisions of federal law is deemed to be in compliance with this Act;”; in line 29, strike “applicability” and substitute “application”; in the same line, strike “a certain provision of”; in the same line, after “Act;” insert “providing for a delayed effective date;”.

On page 2, in line 5, strike “10–1309” and substitute “10–1308”.

AMENDMENT NO. 2

On page 2, in line 16, strike “**ENCRYPTED**” and substitute “**ENCRYPTION**”; in line 17, after “**TRANSIT**” insert a comma; in the same line, strike “**AN ENCRYPTION**” and substitute “**A**”; strike beginning with “**HAS**” in line 18 down through “**INCLUDING**” in line 19 and substitute “**;**”

(1) IS CERTIFIED TO MEET OR EXCEED THE LEVEL THAT HAS BEEN ADOPTED BY;

in line 21, strike “, **WHICH**” and substitute “**;** **AND**

(2)”;

and in line 24, strike “**(1)**”.

On pages 2 and 3, strike beginning with “ANY” in line 24 on page 2 down through “ACT” in line 3 on page 3 and substitute “AN INDIVIDUAL’S FIRST NAME OR FIRST INITIAL AND LAST NAME, PERSONAL MARK, OR UNIQUE BIOMETRIC OR GENETIC PRINT OR IMAGE, IN COMBINATION WITH ONE OR MORE OF THE FOLLOWING DATA ELEMENTS:

(1) A SOCIAL SECURITY NUMBER;

(2) A DRIVER’S LICENSE NUMBER, STATE IDENTIFICATION CARD NUMBER, OR OTHER INDIVIDUAL IDENTIFICATION NUMBER ISSUED BY A UNIT;

(3) A PASSPORT NUMBER OR OTHER IDENTIFICATION NUMBER ISSUED BY THE UNITED STATES GOVERNMENT;

(4) AN INDIVIDUAL TAXPAYER IDENTIFICATION NUMBER; OR

(5) A FINANCIAL OR OTHER ACCOUNT NUMBER, A CREDIT CARD NUMBER, OR A DEBIT CARD NUMBER THAT, IN COMBINATION WITH ANY REQUIRED SECURITY CODE, ACCESS CODE, OR PASSWORD, WOULD PERMIT ACCESS TO AN INDIVIDUAL’S ACCOUNT”.

On page 3, strike in their entirety lines 4 through 14, inclusive; and in line 15, strike “(E)” and substitute “(D)”.

On pages 3 and 4, strike beginning with “THAT” in line 17 on page 3 down through “BUSINESS” in line 7 on page 4.

AMENDMENT NO. 3

On page 4, in lines 8 and 15, strike “(F)” and “(H)”, respectively, and substitute “(E)” and “(F)”, respectively; strike in their entirety lines 11 through 14, inclusive; in line 16, strike “, LEGISLATIVE, OR JUDICIAL”; in line 17, strike the second “AN” and substitute “A PUBLIC”; in the same line, after “INSTITUTION” insert “OF HIGHER EDUCATION”; in line 19, after “BI-COUNTY” insert “, REGIONAL, OR MULTICOUNTY”; in line 20, after “PUBLIC” insert “CORPORATION OR”; after line 21, insert:

“10-1302.

(A) THIS SUBTITLE DOES NOT APPLY TO PERSONAL INFORMATION THAT:

(1) IS PUBLICLY AVAILABLE INFORMATION THAT IS LAWFULLY MADE AVAILABLE TO THE GENERAL PUBLIC FROM FEDERAL, STATE, OR LOCAL GOVERNMENT RECORDS;

(2) AN INDIVIDUAL HAS CONSENTED TO HAVE PUBLICLY DISSEMINATED OR LISTED;

(3) EXCEPT FOR A MEDICAL RECORD THAT A PERSON IS PROHIBITED FROM REDISCLOSING UNDER § 4-302(D) OF THE HEALTH – GENERAL ARTICLE, IS DISCLOSED IN ACCORDANCE WITH THE FEDERAL HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT; OR

(4) IS DISCLOSED IN ACCORDANCE WITH THE FEDERAL FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT.

(B) THIS SUBTITLE DOES NOT APPLY TO THE LEGISLATIVE OR JUDICIAL BRANCH OF STATE GOVERNMENT.”;

in line 22, strike “**10-1302.**” and substitute “**10-1303.**”; and in line 28, strike “**AND SIZE**”.

On page 4 in line 23, on page 5 in lines 5 and 13, on page 6 in line 6, on page 8 in line 9, and on page 9 in line 1, in each instance, strike “**A RESIDENT**” and substitute “**AN INDIVIDUAL**”.

On page 4 in lines 24 and 26, on page 5 in lines 7, 13, 18, 21, and 28 and 29, on page 6 in lines 1 and 14, on page 8 in line 20, on page 9 in line 16, and on page 10 in line 5, in each instance, strike “**OR PRIVATE**”.

On page 4 in line 24, on page 6 in line 16, on page 7 in lines 23, 24, and 29, on page 8 in line 11, and on page 9 in line 2, in each instance, strike “**RESIDENT**” and substitute “**INDIVIDUAL**”.

On page 5 in line 3, and on page 6 in lines 6, 9, and 28, in each instance, strike “PRIVATE” and substitute “PERSONAL”.

On page 5, in lines 2 and 23, strike “10-1303.” and “10-1304.”, respectively, and substitute “10-1304.” and “10-1305.”, respectively; in line 8, strike “AND SIZE”; in line 9, after “CONTRACT” insert “OR AGREEMENT”; in line 10, strike “JANUARY” and substitute “JULY”; in line 14, in each instance, after “CONTRACT” insert “OR AGREEMENT”; in the same line, after “BY” insert “WRITTEN”; strike beginning with the first “THE” in line 24 down through “BREACH” in line 26 and substitute “BREACH”; and in line 30, strike “(II)” and substitute “(2)”.

On page 6 in line 27, and on page 7 in line 1, in each instance, after “A” insert “NONAFFILIATED THIRD”.

AMENDMENT NO. 4

On page 6, strike in their entirety lines 3 and 4; strike beginning with “RESIDENT” in line 10 down through “FRAUD” in line 11 and substitute “INDIVIDUAL HAS RESULTED IN OR IS LIKELY TO RESULT IN THE MISUSE OF THE INFORMATION”; in line 12, strike “IF” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF”; in line 13, strike “THE UNAUTHORIZED ACQUISITION” and substitute “MISUSE”; in the same line, strike “RESIDENT’S” and substitute “INDIVIDUAL’S”; in lines 14 and 30, in each instance, strike “CREATED” and substitute “OCCURRED”; in lines 14 and 31, in each instance, strike “REASONABLY”; in lines 15 and 31, in each instance, strike “CREATE A MATERIAL RISK OF IDENTITY FRAUD” and substitute “OCCUR”; in line 15, after “UNIT” insert “OR THE NONAFFILIATED THIRD PARTY, IF AUTHORIZED UNDER A WRITTEN CONTRACT OR AGREEMENT WITH THE UNIT,”; after line 16, insert:

“(II) UNLESS THE UNIT OR NONAFFILIATED THIRD PARTY KNOWS THAT THE ENCRYPTION KEY HAS BEEN BROKEN, A UNIT OR THE NONAFFILIATED THIRD PARTY IS NOT REQUIRED TO NOTIFY AN INDIVIDUAL UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IF:

1. THE PERSONAL INFORMATION OF THE INDIVIDUAL WAS SECURED BY ENCRYPTION OR REDACTED; AND

2. THE ENCRYPTION KEY HAS NOT BEEN COMPROMISED OR DISCLOSED.;

strike beginning with the comma in line 19 down through “DAYS” in line 20; in line 30, strike “RESIDENT’S PRIVATE” and substitute “INDIVIDUAL’S PERSONAL”; strike beginning with the comma in line 34 down through “DAYS” in line 35; and in line 35, strike “UNIT” and substitute “NONAFFILIATED THIRD PARTY”.

On page 7, in line 14, strike “, BUT NOT LATER THAN 45 DAYS”; in line 4, strike “SUBSECTIONS” and substitute “SUBSECTION”; and in lines 4 and 5, strike “AND (C)”.

On page 8, in line 14, strike “STATEWIDE” and substitute “APPROPRIATE”.

On page 9, strike beginning with “AND” in line 5 down through “SECTION” in line 6; in line 9, strike “§ 10-1301(H)(1)” and substitute “§ 10-1301(F)(1)”; in lines 18 and 21, strike “10-1305.” and “10-1306.”, respectively, and substitute “10-1306.” and “10-1307.”, respectively; in line 22, strike “§ 10-1304” and substitute “§ 10-1305”; and in line 31, strike “10-1307.” and substitute “10-1308.”.

AMENDMENT NO. 5

On page 10, strike beginning with “(A)” in line 1 down through “AFFILIATE” in line 10 and substitute “A UNIT OR NONAFFILIATED THIRD PARTY”; in line 12, after “ACCURATE” insert “CREDIT”; and strike in their entirety lines 19 through 34, inclusive.

On page 11, in line 2, strike “October 1, 2013” and substitute “July 1, 2014”.

The preceding 5 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 1067 – Senators Klausmeier, Benson, Conway, Forehand, Gladden, Jacobs, Jones-Rodwell, Kelley, King, Montgomery, and Pugh

AN ACT concerning

**Commission on the Commemoration of the Anniversary of the Passage of the
19th Amendment to the United States Constitution**

SB1067/274930/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1067

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Pugh” and substitute “Pugh, Dyson, Ferguson, Jennings, Pinsky, Reilly, Rosapepe, Simonaire, and Young”; in lines 2 and 14, in each instance, after the second “the” insert “100th”; in line 4, after the fourth “the” insert “100th”; and in line 19, after the first “the” insert “100th”.

AMENDMENT NO. 2

On page 2, in lines 18 and 22, in each instance, after the second “**THE**” insert “**100TH**”.

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 44 Members present.

(See Roll Call No. 848)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #59

Senate Bill 26 – Senator Colburn

AN ACT concerning

State Designations – State Sandwich – Soft-Shell Crab Sandwich

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 1 (See Roll Call No. 849)

The Bill was then sent to the House of Delegates.

Senate Bill 32 – Senator Colburn

AN ACT concerning

Alcoholic Beverages – Brewery License – On-Premises Consumption

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 850)

The Bill was then sent to the House of Delegates.

Senate Bill 390 – Senator Raskin

AN ACT concerning

**Health – Food Allergy Awareness, Food Safety, and Food Service Facility
Letter Grading – Posting Requirement and Task Force**

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 851)

The Bill was then sent to the House of Delegates.

Senate Bill 1068 – Senator Glassman

AN ACT concerning

Commission to Study the Regulation of Payroll Services

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 852)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #22

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 472 – Senator Mathias

AN ACT concerning

Vehicle Laws – Motor Scooters and Mopeds – Special Dealer Decals

SB0472/108170/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 472

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Vehicle Laws” and substitute “Worcester County”; in lines 3 and 9, in each instance, after “dealer” insert “in Worcester County”; in line 5, after the first “dealer” insert “in Worcester County”; and in line 15, after “dealers” insert “in Worcester County”.

AMENDMENT NO. 2

On page 3, in line 1, after “(I)” insert “THIS PARAGRAPH APPLIES ONLY IN WORCESTER COUNTY.”

(II)”;

and in lines 6, 9, 18, 22, and 24, strike “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively.

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 with amendments:

Senate Bill 479 – Senators Gladden and Forehand

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible**SB0479/458274/1**

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 479

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “acts;” insert “specifying that a petition for expungement based on a finding of not criminally responsible under this Act may not be filed within a certain period of time; providing that a person is not entitled to expungement if the petition is based on a finding of not criminally responsible and the person, since the finding of not criminally responsible, has been convicted of a certain crime or is a defendant in a pending criminal proceeding;”; in line 9, after “10–105(a)” insert “, (c)(7), and (e)(4)”; and after line 11, insert:

“BY addingArticle – Criminal ProcedureSection 10–105(c)(7)Annotated Code of Maryland(2008 Replacement Volume and 2012 Supplement)”.AMENDMENT NO. 2

On page 3, strike beginning with “ASSAULT” in line 7 down through “(III)” in line 10; in lines 11 and 12, strike “(IV)” and “(V)”, respectively, and substitute “(II)” and “(III)”, respectively; and after line 12, insert:

“(c) (7) A PETITION FOR EXPUNGEMENT BASED ON A FINDING OF NOT CRIMINALLY RESPONSIBLE UNDER SUBSECTION (A)(9) OR (10) OF THIS SECTION MAY NOT BE FILED WITHIN 3 YEARS AFTER THE FINDING OF NOT CRIMINALLY RESPONSIBLE WAS MADE BY THE COURT.

[(7)](8) A court may grant a petition for expungement at any time on a showing of good cause.”.

AMENDMENT NO. 3

On page 3, before line 13, insert:

“(e) (4) The person is not entitled to expungement if:

(i) the petition is based on the entry of probation before judgment, a nolle prosequi, a stet, including a nolle prosequi with the requirement of drug or alcohol treatment or a stet with the requirement of drug or alcohol abuse treatment, a conviction for a crime specified in subsection (a)(9) of this section, A FINDING OF NOT CRIMINALLY RESPONSIBLE, or the grant of a pardon by the Governor; and

(ii) the person:

1. since the full and unconditional pardon, entry, FINDING OF NOT CRIMINALLY RESPONSIBLE, or conviction has been convicted of a crime other than a minor traffic violation; or

2. is a defendant in a pending criminal proceeding.”.

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 578 – Senator Raskin

AN ACT concerning

Corporations and Real Estate Investment Trusts – Miscellaneous Provisions

SB0578/328670/1

BY: Judicial Proceedings Committee

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 8 down through “stockholder;” in line 10; and strike beginning with “repealing” in line 21 down through “circumstances;” in line 23.

On page 2, in line 16, strike “2–310.1.”; and in line 17, strike “2–503(b).”.

AMENDMENT NO. 2

On pages 5 and 6, strike in their entirety the lines beginning with line 9 on page 5 through line 16 on page 6, inclusive.

AMENDMENT NO. 3

On page 8, strike in their entirety lines 20 through 27, inclusive.

AMENDMENT NO. 4

On page 18, in lines 16 and 17, in each instance, strike “SPECIFIED”.

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 923 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

**Harford County – Appointment of Fire Company Members as Deputy Sheriffs
– Number**

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 931 – Senators Stone, Kelley, and Zirkin

AN ACT concerning

Baltimore County – Orphans’ Court Judges – 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 with amendments:

Senate Bill 987 – Senator Forehand

AN ACT concerning

Vehicle Laws – Towing or Removal of Vehicles – Mailing Charges

SB0987/948276/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 987

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Mailing Charges” and substitute “Notice”; in line 3, strike “costs that” and substitute “authority of”; in line 4, strike “may” and substitute “to”; in line 5, after “removal;” insert “altering the time period within which a person that tows or removes a vehicle from a parking lot is required to provide certain notice to certain persons;”; and in the same line, after “authorized” insert “notice”.

AMENDMENT NO. 2

On page 2, in line 7, strike “The” and substitute “**SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE**”; in the same line, in each instance, strike the bracket; in the same line, strike “**MAILING COSTS FOR**”; and in line 19, strike “3” and substitute “**7**”.

AMENDMENT NO. 3

On page 3, in line 12, after “(b)” insert “**A PERSON MAY NOT CHARGE FOR THE ACTUAL COST OF PROVIDING NOTICE UNDER SUBSECTION (A)(1)(IV) OF THIS SECTION IF THE VEHICLE OWNER, THE OWNER’S AGENT, THE INSURER OF RECORD, OR ANY SECURED PARTY RETAKES POSSESSION OF THE VEHICLE WITHIN 48 HOURS AFTER THE VEHICLE WAS RECEIVED AT THE STORAGE FACILITY.**”

(C)”.

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:

Senate Bill 991 – Senator Raskin

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Citation Authority

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 1011 – Cecil County Senators

AN ACT concerning

Cecil County – School Buses – Length of Operation

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 1010 – Senators Brinkley, Forehand, Kelley, King, Kittleman,
Klausmeier, Madaleno, Middleton, Pipkin, and Pugh**

AN ACT concerning

Children with Developmental Disabilities in State Custody – Continuation of Placement and Services

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB1010/697379/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1010
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 21 down through “circumstances;” in line 23; and in line 24, after “notice” insert “and subject to a certain limitation”.

AMENDMENT NO. 2

On page 10, in line 14, strike “(1)”; strike in their entirety lines 20 through 24, inclusive; and in line 29, after “ADMINISTRATION” insert “, SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET,”.

The preceding 2 amendments were read only.

Senator Kelley moved, duly seconded, to make the Bill and Amendments a Special Order for April 2, 2013.

The motion was adopted.

Senate Bill 249 – Senators Forehand and Raskin

AN ACT concerning

Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Retaliation Against Dealers

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and failed for want of a constitutional majority:

Affirmative – 20 Negative – 25 (See Roll Call No. 853)

THE COMMITTEE ON BUDGET AND TAXATION REPORT #22

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 101 – The Speaker (By Request – Administration)**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**

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2013 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit G of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit H of Appendix III)

The preceding 20 amendments were read only.

Senator DeGrange moved, duly seconded, to make the Bill and Amendments a Special Order for April 3, 2013.

The motion was adopted.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 616 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

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:

House Bill 1372 – Delegates Jones and Griffith

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – Alterations

HB1372/419530/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1372
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 15 through 19, inclusive.

On page 2, after line 17, insert:

“BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by
Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(C)”.

On page 3, after line 14, insert:

“BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(S)”;

in line 33, strike “and (AL)” and substitute “(AL), and (BJ)”;
and in line 34, strike “and (AV)” and substitute “(AV), and (AW)”.

On page 4, in line 7, after “(F),” insert “(L).”;
in line 10, strike “ZA02(AB).”;
in the same line, strike “(J),”;
in line 11, strike “(T).”;
and in the same line, strike “(X).”

AMENDMENT NO. 2

On page 5, strike in their entirety lines 15 through 35, inclusive.

AMENDMENT NO. 3

On page 7, in line 37, strike the opening bracket; in line 38, strike the closing bracket; in line 39, strike “OF \$225,000”; and in line 40, after “County,” insert “AND THE BOARD OF DIRECTORS OF THE HISTORIC PERRY HALL MANSION, INC.”.

AMENDMENT NO. 4

On page 7, after line 7, insert:

“Chapter 445 of the Acts of 2005, as amended by Chapter 639 of the Acts of 2012

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(C) Babe Ruth Birthplace and Museum. Provide a grant to the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. to assist in the design, construction, renovation, and equipping of improvements to the Babe Ruth Birthplace and Museum. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2013] 2014 (Baltimore City) 250,000”.

AMENDMENT NO. 5

On page 12, after line 34, insert:

“Chapter 485 of the Acts of 2009, as amended by Chapter 639 of the Acts of 2012

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(S) [Robert E. Lee Park] PERRY HALL GYMNASIUM PROJECT. Provide a grant to the County Executive and County Council of Baltimore County ON BEHALF OF THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS for the PLANNING, design, construction, and capital equipping of improvements to [Robert E. Lee Park] THE PERRY HALL

GYMNASIUM in Baltimore County, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore County)..... 3,000,000”.

AMENDMENT NO. 6

On page 11, in line 4, strike “483” and substitute “485”.

AMENDMENT NO. 7

On page 15, in line 19, strike the opening bracket; in line 21, strike “1 OF \$50,000”; in line 24, strike the opening bracket; and in line 28, strike the closing bracket.

AMENDMENT NO. 8

On page 16, in line 3, strike the opening bracket; in line 5, strike “1 OF \$25,000”; in line 8, strike the opening bracket; and in line 12, strike the closing bracket.

AMENDMENT NO. 9

On page 16, in line 16, strike “(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES”; and after line 32, insert “(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES”.

AMENDMENT NO. 10

On page 18, strike in their entirety lines 29 and 30; in line 32, strike the opening bracket; in line 33, strike the closing bracket; in line 34, strike “OF \$175,000”; in line 37, strike the opening bracket; and in line 38, strike the closing bracket and substitute a period.

AMENDMENT NO. 11

On page 19, before line 27, insert:

“(BJ) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s County Boys and Girls Club, Inc. for the acquisition, planning, design, construction,

renovation, and capital equipping of the scoreboard, signs, and stands FOR THE CAPITOL HEIGHTS AND SEAT PLEASANT BOYS AND GIRLS CLUB FIELD, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County).....

25,000”.

AMENDMENT NO. 12

On page 22, after line 14, insert:

“(AW) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s County Boys and Girls Club, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard, signs, and stands for the Capitol Heights and Seat Pleasant Boys and Girls Club field, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County).....

75,000”.

AMENDMENT NO. 13

On page 23, after line 3, insert:

“(L) Maryland Science Center – Planetarium Improvements. Provide a grant to the Board of Trustees of the Maryland Science Center, Inc. for the renovation and capital equipping of the planetarium, subject to the requirement that the grantee provide an equal and matching fund for this purpose.

NOTWITHSTANDING THE PROVISIONS OF SECTION 1(5)
 OF THIS ACT, THE MATCHING FUND MAY CONSIST OF
 REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS
 EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT
 (Baltimore City).....

550,000”.

AMENDMENT NO. 14

On page 27, strike in their entirety lines 31 through 39, inclusive.

AMENDMENT NO. 15

On page 31, strike in their entirety lines 31 through 39, inclusive.

AMENDMENT NO. 16

On page 32, strike in their entirety lines 19 through 26, inclusive.

AMENDMENT NO. 17

On pages 32 and 33, strike in their entirety the lines beginning with line 41 on page 32 through line 9 on page 33, inclusive.

The preceding 17 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 #25

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

House Bill 360 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Health Insurance – Repeal of Obsolete Provisions of Law

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:

House Bill 361 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Health Insurance – Conformity with and Implementation of Federal Patient Protection and Affordable Care Act

HB0361/467578/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 361
(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “disclosure” in line 24 on page 1 down through “for” in line 1 on page 2 and substitute “provisions of law regarding”.

On page 2, in line 29, after “State;” insert “repealing a certain provision of law that authorizes a carrier to cancel health insurance coverage made available in the individual market only through certain associations under certain circumstances;”.

On page 3, in line 27, strike “15–1105;”; in line 28, strike “15–1309(b)(5) and (6)” and substitute “15–1309(b)(6)”; in line 34, strike “and 15–1203” and substitute “15–1105, and 15–1203”; and in line 39, strike “15–1309(b)(7)”.

AMENDMENT NO. 2

On pages 13 through 15, strike in their entirety the lines beginning with line 32 on page 13 through line 25 on page 15.

On page 28, in line 4, strike “**60**” and substitute “**30**”.

On page 38, strike in their entirety lines 11 through 13, inclusive; and strike beginning with “where” in line 14 down through “**(7)**” in line 19.

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:

House Bill 650 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Prevailing Wage
MC/PG 112–13**

HB0650/587772/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 650
(Third Reading File Bill)

On page 1, in line 4, after “provisions” insert “of law”; in line 6, strike “under certain circumstances;” and substitute “by”; in the same line, strike “a certain” and substitute “the”; in line 7, after “definition” insert “of “public body” to include the Commission”; and strike beginning with “prevailing” in line 7 down through “by” in line 8 and substitute “applicability of the prevailing wage law to”.

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 #37**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 172 – Charles County Delegation

AN ACT concerning

**Charles County – Alcoholic Beverages Licensees – Nonalcoholic Items –
Hours of Sale**

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:

House Bill 213 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne’s County – Alcoholic Beverages – Inspectors

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:

House Bill 455 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Refillable Wine Containers
Ho. Co. 15–13**

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:

House Bill 491 – Delegate Otto

AN ACT concerning

**Somerset County – Alcoholic Beverages – Selling Near Schools, Places of
Worship, Public Libraries, and Youth Centers**

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:

House Bill 645 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Sale of Alcoholic Beverages – Distance from Schools,
Places of Worship, or Youth Centers
MC 16–13**

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:

House Bill 647 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Town of Kensington – Beer and Wine Sampling or
Tasting
MC 9–13**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #38**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 96 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

Natural Resources – Restricted Shellfish Harvest Areas – Water Testing

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:

House Bill 97 – Chair, Environmental Matters Committee (By Request – Departmental – Environment)

AN ACT concerning

Environment – Sediment Control and Stormwater Management Plans – Authority

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for April 2, 2013.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 649 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Alcoholic Beverages – Refillable Beer Containers
MC 4–13**

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:

House Bill 672 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Consumption of Wine Not Bought from License Holder
– Class H Licenses
MC 17–13**

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:

House Bill 1070 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – City of College Park – Sales by License Holders Near School Buildings
PG 309–13**

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:

House Bill 1072 – Prince George’s County Delegation

AN ACT concerning

**Alcoholic Beverages – City of Laurel – Sales by License Holders
PG 308–13**

HB1072/714632/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1072
(Third Reading File Bill)

On page 2, in line 6, strike “ITEMS” and substitute “SUBPARAGRAPHS”.

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:

House Bill 1079 – Prince George’s County Delegation

AN ACT concerning

**Prince George's County – Alcoholic Beverages – Salary of Part-Time Liquor
Inspectors
PG 316-13**

Senator Benson moved, duly seconded, to make the Bill and Report a Special Order for April 2, 2013.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1240 – Howard County Delegation

AN ACT concerning

**Howard County – Alcoholic Beverages – Continuing Care Retirement
Community License
Ho. Co. 10-13**

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. 854)

ADJOURNMENT

At 9:40 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 28, 2013, Calendar Day, Tuesday, April 2, 2013.

Annapolis, Maryland
Legislative Day: March 28, 2013
Calendar Day: Tuesday, April 2, 2013
10:00 A.M. Session

The Senate met at 10:07 A.M.

Prayer by Father Mark L. Smith, St. Joseph Catholic Church, guest of Senator Middleton.

(See Exhibit A of Appendix III)

The Journal of March 27, 2013 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 855)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #60

Senate Bill 472 – Senator Mathias

AN ACT concerning

~~Vehicle Laws~~ **Worcester County – Motor Scooters and Mopeds – Special
Dealer Decals**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 856)

The Bill was then sent to the House of Delegates.

INTRODUCTION OF RESOLUTIONS**Senate Resolution No. 640 – The President and All Members:**

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Rachel Hise
in recognition of
her outstanding contributions to the Maryland General Assembly and her 20 years of
dedicated service as committee staff
and policy expert for the Department of Legislative Services.
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 2nd day of April 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 857)

THIRD READING CALENDAR (SENATE BILLS) #60**Senate Bill 479 – Senators Gladden and Forehand**

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible

Senator Zirkin moved, duly seconded, to make the Bill a Special Order for April 3, 2013.

The motion was adopted.

Senate Bill 522 – Senator Young

SECOND PRINTING

AN ACT concerning

Frederick Regional Higher Education Advisory Board

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 0 (See Roll Call No. 858)

The Bill was then sent to the House of Delegates.

Senate Bill 578 – Senator Raskin

AN ACT concerning

Corporations and Real Estate Investment Trusts – Miscellaneous Provisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 0 (See Roll Call No. 859)

The Bill was then sent to the House of Delegates.

Senate Bill 676 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)

AN ACT concerning

Governmental Procedures – Security and Protection of Information

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 860)

The Bill was then sent to the House of Delegates.

Senate Bill 923 – Senators Glassman, Jacobs, and Jennings

AN ACT concerning

Harford County – Appointment of Fire Company Members as Deputy Sheriffs – Number

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 861)

The Bill was then sent to the House of Delegates.

Senate Bill 931 – Senators Stone, Kelley, and Zirkin

AN ACT concerning

Baltimore County – Orphans’ Court Judges – Salary

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 6 (See Roll Call No. 862)

The Bill was then sent to the House of Delegates.

Senate Bill 987 – Senator Forehand

AN ACT concerning

Vehicle Laws – Towing or Removal of Vehicles – ~~Mailing Charges~~ Notice

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 863)

The Bill was then sent to the House of Delegates.

Senate Bill 991 – Senator Raskin

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Citation Authority

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 864)

The Bill was then sent to the House of Delegates.

Senate Bill 1011 – Cecil County Senators

AN ACT concerning

Cecil County – School Buses – Length of Operation

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 865)

The Bill was then sent to the House of Delegates.

Senate Bill 1066 – Senator Pugh

AN ACT concerning

Minority Business Enterprises – Not-for-Profit Entities

Read the third time and passed by yeas and nays as follows:

Affirmative – 28 Negative – 16 (See Roll Call No. 866)

The Bill was then sent to the House of Delegates.

Senate Bill 1067 – Senators Klausmeier, Benson, Conway, Forehand, Gladden, Jacobs, Jones–Rodwell, Kelley, King, Montgomery, ~~and Pugh~~ Pugh, Dyson, Ferguson, Jennings, Pinsky, Reilly, Rosapepe, Simonaire, and Young

AN ACT concerning

Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 867)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #2

House Bill 164 – Chair, Health and Government Operations Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

Department of Health and Mental Hygiene – Regulatory Authority – Permit and Licensing Renewals and Building Plan Reviews

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 868)

The Bill was then sent to the House of Delegates.

House Bill 227 – The Speaker (By Request – Administration) and Delegates Olszewski, Mitchell, Clippinger, Davis, and Busch

AN ACT concerning

Maryland Employment Advancement Right Now (EARN) Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 869)

The Bill was then sent to the House of Delegates.

**House Bill 348 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Employer Contributions – Application for
Refund or Adjustment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 870)

The Bill was then sent to the House of Delegates.

**House Bill 349 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation) and Delegates
O’Donnell and Fisher**

AN ACT concerning

Business Regulation – Cemeteries – Prohibited Acts and Penalties

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 871)

The Bill was then sent to the House of Delegates.

**House Bill 350 – Chair, Economic Matters Committee (By Request –
Departmental – State Police)**

AN ACT concerning

**Business Regulation – Outdoor Musical Festival Promoter License – Repeal
of Safety Permit Requirement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 872)

The Bill was then sent to the House of Delegates.

House Bill 354 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Unemployment Insurance – Recovery of Benefits – Monetary Penalty for Fraud

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 873)

The Bill was then sent to the House of Delegates.

House Bill 356 – Chair, Economic Matters Committee (By Request – Departmental – Veterans Affairs)

AN ACT concerning

Military Personnel and Veteran–Owned Small Business No–Interest Loan Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 874)

The Bill was then sent to the House of Delegates.

House Bill 370 – ~~Delegate Costa~~ Anne Arundel County Delegation

AN ACT concerning

Workers’ Compensation – Anne Arundel County Deputy Sheriff

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 875)

The Bill was then sent to the House of Delegates.

House Bill 392 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

**Motor Vehicle Liability Insurance – Personal Injury Protection Coverage –
Prohibition on Premium Increase**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 876)

The Bill was then sent to the House of Delegates.

**House Bill 583 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Unemployment Insurance – Relief from Charges for Overpayment of Benefits
– Restrictions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 877)

The Bill was then sent to the House of Delegates.

**House Bill 724 – Chair, Health and Government Operations Committee (By
Request – Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Risk Based Capital Standards – Fraternal Benefit Societies and
Life Insurers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 878)

The Bill was then sent to the House of Delegates.

**House Bill 1330 – Chair, Economic Matters Committee (By Request –
Departmental – Workers’ Compensation Commission)**

AN ACT concerning

Workers’ Compensation – Insurance Coverage – Employer Compliance

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 1 (See Roll Call No. 879)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON FINANCE REPORT #26

CONSENT CALENDAR #53

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

House Bill 9 – ~~Delegate Hixson~~ Delegates Hixson, Valderrama, Howard, and Simmons

AN ACT concerning

Health – Food Allergy Awareness, Food Safety, and Food Service Facility Letter Grading – Posting Requirement and Task Force

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 57 – Delegate B. Robinson

AN ACT concerning

~~Department of Health and Mental Hygiene – Health Care Facilities Office of Health Care Quality~~ – Abuser Registry Workgroup

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 75 – Delegate Feldman

AN ACT concerning

Utility Service Protection Program – Annual Report – Deadline

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 127 – Delegate Davis

AN ACT concerning

Labor and Employment – Payment of Overtime Wages

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 182 – Delegate Kramer

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.

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

**House Bill 334 – Delegates M. Washington, Anderson, Bobo, Braveboy, Carr,
Clippinger, Frick, Frush, Gaines, Glenn, Howard, McIntosh, Mitchell,
Nathan–Pulliam, B. Robinson, and S. Robinson**

AN ACT concerning

Commercial Law – Consumer Protection – Rental–Purchase Transactions

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:

House Bill 342 – Delegates Hucker, Barkley, Love, Olszewski, and Vaughn

AN ACT concerning

Homeowner’s or Renter’s Insurance and Private Passenger Motor Vehicle Insurance – Bundling Requirement – Prohibited

HB0342/337173/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 342

(Third Reading File Bill)

On page 2, in line 3, after “(1)” insert “THIS SUBSECTION APPLIES TO HOMEOWNER’S INSURANCE, RENTER’S INSURANCE, AND PRIVATE PASSENGER MOTOR VEHICLE INSURANCE.”

(2)”;

in lines 10 and 17, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively.

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:

House Bill 373 – Delegates Haddaway-Riccio ~~and Eckardt~~, Eckardt, and Bromwell

EMERGENCY BILL

AN ACT concerning

Hospitals – Outpatient Services – Off-Site Facility – Rate Regulation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 391 – Delegates Krebs, Cardin, Afzali, Aumann, Bromwell, Cluster, Costa, Cullison, Elliott, George, Howard, Hubbard, A. Kelly, Kipke, McComas, McDonough, W. Miller, Morhaim, Murphy, Oaks, Pena–Melnyk, Reznik, and Tarrant

AN ACT concerning

State Employee and Retiree Health and Welfare Benefits Program – ~~Bona Fide~~ Wellness Program and Wellness Promotion

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 690 – Delegates Pena–Melnyk, Barnes, Braveboy, Cane, Costa, Cullison, Frush, Healey, Hubbard, A. Kelly, Kipke, Lafferty, McIntosh, Morhaim, Murphy, Nathan–Pulliam, Oaks, Ready, Reznik, Sophocleus, Swain, Tarrant, V. Turner, ~~and Vaughn~~ Vaughn, Hammen, Pendergrass, Bromwell, Donoghue, Elliott, Frank, Krebs, and McDonough

AN ACT concerning

Virginia I. Jones Alzheimer’s Disease and Related Disorders Council

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 785 – Delegates A. Washington, Afzali, Barnes, Braveboy, Burns, Davis, Healey, Hough, Ivey, Luedtke, Minnick, Pena–Melnyk, Ready, Valderrama, Vaughn, and Walker

AN ACT concerning

Commercial Law – Maryland Credit Services Businesses Act – Scope

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 795 – Delegates Hucker, Jameson, Love, McHale, and Vaughn

AN ACT concerning

Maryland Occupational Safety and Health Act – Discrimination Against Employee – Complaints

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1042 – Delegates Smigiel, Lee, and McDermott

AN ACT concerning

Hospitals – Credentialing and Privileging Process – Telemedicine

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:

House Bill 1062 – Delegates Cullison, Costa, Elliott, Kach, A. Kelly, Krebs, Oaks, and Reznik

AN ACT concerning

Hospitals – Notice to Patients – Outpatient Status and Billing Implications

HB1062/127773/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1062

(Third Reading File Bill)

On page 1, strike beginning with “AND” in line 19 down through “STATUS” in line 20 and substitute “, THE BILLING IMPLICATIONS OF THE OUTPATIENT STATUS, AND THE IMPACT OF THE OUTPATIENT STATUS ON THE PATIENT’S ELIGIBILITY FOR MEDICARE REHABILITATION SERVICES”.

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:

House Bill 1084 – Delegates Stein, Rudolph, Cane, and Beitzel

AN ACT concerning

~~**Renewable Energy Portfolio Standard – Wood and Plant Derived Biomass
Systems**~~

Thermal Energy – Task Force and Regulations

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1090 – Delegates Barnes, Braveboy, Davis, Hucker, ~~and Olszewski~~
Olszewski, Cane, Carr, Glenn, Healey, and Niemann**

AN ACT concerning

**Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility
Bills**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 1119 – Delegates Zucker, Wilson, James, Arora, Aumann, Bates,
Beitzel, Bobo, Bohanan, Branch, Cane, Carr, Conway, Cullison, DeBoy,
Eckardt, Gaines, Griffith, Gutierrez, Guzzone, Haddaway–Riccio,
Haynes, Jameson, Jones, Kaiser, A. Kelly, Luedtke, McConkey, Mitchell,
Mizeur, Morhaim, Murphy, Pena–Melnik, Proctor, Reznik, B. Robinson,
S. Robinson, Sophocleus, Stocksdales, Szeliga, F. Turner, Walker,
M. Washington, and Wood**

AN ACT concerning

**Department of Budget and Management – Foster Youth Summer Internship
Pilot Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1132 – Delegate Rudolph

AN ACT concerning

Maryland Automobile Insurance Fund – Operational Changes

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1160 – Delegate Kach

AN ACT concerning

**Health Insurance – Vision Services – Provider Contracts and Delivery
Systems**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1166 – Delegate Davis

AN ACT concerning

Insurance – Ceding Insurers and Reinsurance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1216 – Delegates A. Kelly, Bobo, Costa, Cullison, Eckardt, Elliott, Feldman, Hammen, Hubbard, Kach, Kipke, Pena–Melnyk, Rosenberg, Tarrant, and V. Turner

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – ~~Consumer Bill of Rights~~ Notice and Authorization Forms

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1252 – Delegates A. Kelly, Bobo, Costa, Cullison, Eckardt, Elliott, Feldman, Hammen, Hubbard, Kach, Kipke, Pena–Melnyk, Rosenberg, Tarrant, ~~and V. Turner~~ V. Turner, Donoghue, Frank, Krebs, Morhaim, Murphy, Nathan–Pulliam, Pendergrass, Ready, and Reznik

AN ACT concerning

Health Insurance – Federal Mental Health Parity and Addiction Equity Act – Utilization Review Criteria and Standards

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:

House Bill 1297 – Delegates Zucker, Arora, Barkley, Bobo, Braveboy, Burns, Clagett, Feldman, Haddaway–Riccio, Hershey, Hucker, Jameson, Kaiser, A. Kelly, Kramer, Lee, Love, Luedtke, McHale, Minnick, Olszewski, Schuh, Schulz, Vaughn, ~~and Walker~~ Walker, Rudolph, Wilson, and Frick

AN ACT concerning

Consumer Protection – Security Freezes – Children in Foster Care Settings

HB1297/377777/1

BY: Finance Committee

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, strike “prohibiting” and substitute “authorizing”; and in lines 20 and 21, strike “from charging” and substitute “to charge”.

On page 2, in line 15, after “consumer;” insert “requiring the Department of Juvenile Services to review certain provisions of law, make a certain determination, and report certain information to certain committees of the General Assembly on or before a certain date;”.

AMENDMENT NO. 2

On page 6, in line 30, strike “NOT”; in the same line, after “A” insert “REASONABLE”; in the same line, after “FEE” insert “, NOT EXCEEDING \$5,”; and in line 31, strike “ANY SERVICE PERFORMED” and substitute “EACH PLACEMENT OR REMOVAL OF A SECURITY FREEZE FOR A PROTECTED CONSUMER”.

On page 7, in line 32, after “SUBTITLE” insert “, INCLUDING PROVIDING CONTACT INFORMATION OF ORGANIZATIONS THAT MAY PROVIDE ASSISTANCE TO THE PROTECTED CONSUMER IN REMOVING A SECURITY FREEZE”.

AMENDMENT NO. 3

On page 8, after line 12, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1, 2013, the Department of Juvenile Services shall:

(1) review Title 14, Subtitle 12 of the Commercial Law Article, including § 14-1212.3, as enacted by Section 1 of this Act;

(2) determine whether it is practicable, appropriate, and necessary for the protection of the consumer records of children who are in custody of the Department to allow the Department to make a request to a consumer reporting agency for a security freeze for the consumer record of each child who is in custody of the Department; and

(3) report its findings and recommendations, in accordance with § 2-1246 of the State Government Article, to the Senate Finance Committee and the House Economic Matters Committee.”;

and in line 13, strike “3.” and substitute “4.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1337 – Delegates Griffith, Bohanan, Guzzone, Jones, Mizeur, Proctor, Tarrant, ~~and Zucker~~ Zucker, Hammen, Cullison, A. Kelly, Murphy, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, and V. Turner

AN ACT concerning

Maryland Public Art Initiative Program – ~~Revisions~~ Selection of Art for Capital Projects

Senator Kittleman moved, duly seconded, to make the Bill and Report a Special Order for April 3, 2013.

The motion was adopted.

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

House Bill 124 – Delegate Davis

AN ACT concerning

Public Utilities – Telephone Service – Charges for Directory Assistance

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #23

CONSENT CALENDAR #52

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1 – Delegates K. Kelly, Dumais, ~~and Simmons~~ Simmons, Sophocleus, Vitale, Eckardt, Clagett, Hogan, Burns, Dwyer, George, Kipke, McConkey, Minnick, Stocksdales, Valentino-Smith, Wood, Afzali,

Aumann, Beidle, Costa, Frank, Krebs, W. Miller, Wilson, Elliott, Hough,
and Schulz

AN ACT concerning

Criminal Law – Cannabimimetic Agents – Prohibition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 8 – Delegate Vitale

AN ACT concerning

Estates and Trusts – Guardianship Accounts – Form and Limits

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:

**House Bill 88 – Delegates Arora ~~and Feldman~~, Feldman, Kramer, Beidle,
Gilchrist, Glenn, Healey, McMillan, Niemann, Norman, and Stein**

AN ACT concerning

Real Property – Refinance Mortgage – Priority over Junior Liens

HB0088/668173/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 88

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 14, after “PLUS” insert “AN AMOUNT TO PAY CLOSING COSTS NOT EXCEEDING”.

AMENDMENT NO. 2

On page 3, in line 20, strike “ON THE FIRST PAGE”; and in line 26, after the last period, insert:

“THE INTEREST RATE PROVIDED FOR IN THE EVIDENCE OF INDEBTEDNESS SECURED BY THIS REFINANCE MORTGAGE IS LOWER THAN THE APPLICABLE INTEREST RATE PROVIDED FOR IN THE EVIDENCE OF INDEBTEDNESS SECURED BY THE DEED OF TRUST/MORTGAGE/OTHER SECURITY INSTRUMENT BEING REFINANCED.”

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:

House Bill 116 – Delegates Mitchell, Clippinger, Cluster, Conaway, Cullison, Gutierrez, Haynes, McDermott, Oaks, B. Robinson, and Rosenberg

AN ACT concerning

Courts and Judicial Proceedings – Interception of Communications – Abuse or Neglect of Vulnerable Adult and Medicaid Fraud

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 129 – Chair, Judiciary Committee (By Request – Maryland Judicial Conference)

AN ACT concerning

Task Force to Study Implementing a Civil Right to Counsel in Maryland

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**House Bill 180 – Delegates Glenn, Morhaim, Anderson, Carter, Conaway,
Mitchell, Oaks, B. Robinson, and Vallario**

AN ACT concerning

Medical Marijuana – Caregiver – Affirmative Defense

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**House Bill 183 – Delegates K. Kelly, Anderson, Clippinger, Dumais, Mitchell,
Simmons, Valderrama, and Waldstreicher**

AN ACT concerning

Correctional Training Commission – ~~Correctional Officer~~ Members

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**House Bill 277 – Chair, Judiciary Committee (By Request – Maryland
Judicial Conference)**

AN ACT concerning

Children in Need of Assistance – Review Hearings

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

**House Bill 278 – Chair, Judiciary Committee (By Request – Maryland
Judicial Conference)**

AN ACT concerning

**Children in Need of Assistance – Rights of Preadoptive Parents, Foster
Parents, and Caregivers of Child**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 320 – ~~Chair, Baltimore County Delegation (By Request – Baltimore County Administration)~~ Baltimore County Delegation

AN ACT concerning

**Vehicle Laws – Registration Plates for Individuals with Disabilities –
Parking in Baltimore County**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 346 – ~~Delegates Impallaria and McDonough~~ Harford County Delegation

AN ACT concerning

Harford County – Correctional Officers’ Bill of Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 388 – Delegates Gilchrist, Lee, McMillan, Norman, and S. Robinson

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.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 489 – Delegates Mitchell, Anderson, Burns, Conaway, DeBoy, Dumais, Glenn, Haynes, Ivey, Lafferty, Lee, McIntosh, Mizeur,

Niemann, B. Robinson, Stukes, Valentino-Smith, Vaughn, and M. Washington

AN ACT concerning

**Criminal Law – Threat Against State or Local Official – ~~Definitions~~
Expansion**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 521 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Extinguishment or Redemption of Ground Rents

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 542 – Delegates McConkey, Carter, Dumais, Frush, Glass, McComas, Parrott, and Valderrama

AN ACT concerning

Criminal Law – Aggravated Animal Cruelty – Baiting

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 559 – Washington County Delegation

AN ACT concerning

Washington County – Special Deputy Sheriffs – ~~Insurance Coverage~~

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:

House Bill 596 – Delegate Clippinger

AN ACT concerning

Civil Actions – Interrogatories or Examination in Aid of Enforcement – Procedure After Arrest for Failure to Appear to Show Cause

HB0596/798973/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 596
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike the second “certain”; and in the same line, after “determination” insert “of certain conditions of release; specifying the conditions of release that may be imposed under certain circumstances”.

AMENDMENT NO. 2

On page 2, in line 1, before “AN” insert “(A)”; and after line 12, insert:

“(B) IF A JUDICIAL OFFICER DETERMINES THAT THE INDIVIDUAL SHOULD BE RELEASED ON OTHER THAN PERSONAL RECOGNIZANCE WITHOUT ANY ADDITIONAL CONDITIONS, THE JUDICIAL OFFICER SHALL IMPOSE ON THE INDIVIDUAL THE LEAST ONEROUS CONDITION OR COMBINATION OF CONDITIONS THAT WILL REASONABLY ENSURE THE APPEARANCE OF THE INDIVIDUAL AS REQUIRED.”

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:

House Bill 604 – Delegate Hough

AN ACT concerning

Department of Juvenile Services – Graduated Responses – Report

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 631 – Delegates Hough, Hogan, Krebs, McDermott, Mitchell, and Valentino–Smith

AN ACT concerning

Family Law – Preventing or Interfering with Report of Suspected Child Abuse or Neglect

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 702 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Document Filing and Processing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 709 – Delegates McDermott, Afzali, Clippinger, Cluster, Hogan, McComas, Mitchell, and Otto

AN ACT concerning

**Criminal Law – Accessory After the Fact – Murder
(The Shedly–Bennett Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 792 – Washington County Delegation

AN ACT concerning

**Correctional Facilities – Inmate Programs in Washington County – Payment
of Child Support**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 794 – Delegate Niemann

AN ACT concerning

Manufactured Homes – Affixation to Real Property – Liens

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 836 – Delegates Malone and McHale

AN ACT concerning

Vehicle Laws – Electric Vehicles

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 889 – Delegate Malone

AN ACT concerning

Vehicles Laws – Emergency Vehicles – Motorcades and Escorts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 932 – ~~Delegate Luedtke~~ Delegates Luedtke, Hammen, Bromwell, Costa, Cullison, Donoghue, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, Tarrant, and V. Turner

AN ACT concerning

Child Care Centers – Dispute Resolution

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1140 – Delegate Feldman

AN ACT concerning

Corporations and Associations – Conversions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1175 – Delegate Vallario

AN ACT concerning

Police Training Commission – Membership – Police Chiefs’ Association of Prince George’s County

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:

**House Bill 1303 – Delegates Dumais, Anderson, Carter, Ivey, Lee, Oaks,
Rosenberg, and Valderrama**

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

HB1303/298975/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1303

(Third Reading File Bill)

On page 2, in line 12, strike “**\$3,000,000**”; and in line 14, after “**ARTICLE**” insert “:

(I) \$1,000,000 IN FISCAL YEAR 2014;

(II) \$1,500,000 IN FISCAL YEAR 2015;

(III) \$2,000,000 IN FISCAL YEAR 2016; AND

(IV) \$500,000 IN FISCAL YEAR 2017 AND THEREAFTER”.

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:

**House Bill 1308 – Delegates Healey, Glenn, Beidle, Bobo, Cane, Hucker,
Lafferty, McIntosh, Niemann, S. Robinson, Stein, Weir, ~~and Wilson~~
Wilson, Carr, and Norman**

AN ACT concerning

Residential ~~Real~~ Property – Prohibition on Nonjudicial Evictions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1328 – Delegates Smigiel, Glass, Hershey, Jacobs, McDermott, and Parrott

AN ACT concerning

Estates and Trusts – Special and Supplemental Needs Trusts – Regulations by State Agencies

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:

House Bill 1340 – Delegates Stukes, Carter, Conaway, and Oaks

AN ACT concerning

Courts and Judicial Proceedings – Baltimore City Sheriff and Fees for Filing and Service of Process

HB1340/948272/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1340
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, after line 17, insert:

“5. EMPLOYEES IN A DEPUTY SHERIFF CLASSIFICATION SHALL RECEIVE STEP INCREASES FOR EACH YEAR OF SERVICE IN THE SHERIFF’S OFFICE.”

AMENDMENT NO. 2

On page 3, in line 19, strike “\$400” and substitute “\$500”.

AMENDMENT NO. 3

On page 4, in line 21, strike “\$20” and substitute “\$10”.

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 #24

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 286 – Delegates Niemann, Beidle, Glenn, and Lafferty

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

HB0286/558574/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 286

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “, costs, and attorney’s fees”; and in line 7, strike “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 28 through 33, inclusive, and substitute:

“(I) CONSIST SOLELY OF DELINQUENT PERIODIC OR SPECIAL ASSESSMENTS; AND”.

On page 3, in line 5, after “OWNER” insert “**FOR DELINQUENT PERIODIC OR SPECIAL ASSESSMENTS**”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 7 through 9, inclusive; and in line 10, strike “3.” and substitute “2.”.

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:

House Bill 448 – Delegate Ready

AN ACT concerning

State Government – Notary Public – Appointment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 588 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Children – Records Access

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 626 – Delegates Mitchell, Vallario, Bobo, Carr, Clippinger, Gilchrist, Guzzone, Ivey, A. Kelly, Lee, Luedtke, S. Robinson, Simmons, M. Washington, and Zucker

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:

House Bill 742 – Delegates Waldstreicher ~~and McDermott~~, McDermott, Clippinger, Cluster, Conaway, Dumais, Hough, K. Kelly, and Mitchell

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Citation Authority

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:

House Bill 753 – Delegates Malone, Kach, Clagett, Barkley, Bobo, Hogan, Howard, Lafferty, A. Miller, Murphy, Pendergrass, Reznik, Stein, ~~and Weir~~ Weir, Glenn, Beidle, Cane, Carr, Healey, S. Robinson, and Wilson

AN ACT concerning

Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties

HB0753/688374/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 753

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 6 down through “roadway;” in line 11; in line 13, strike “repealing a certain provision of law”; and in line 14, strike “first” and substitute “second or subsequent”.

AMENDMENT NO. 2

On page 2, in lines 20 and 21, strike “**IN THE TRAVEL PORTION OF THE ROADWAY**”.

On page 4, in line 7, strike the brackets; in the same line, strike “**THE TRAVEL PORTION OF THE ROADWAY**”; in line 12, strike the brackets; in lines 12 and 13, strike “**THE TRAVEL PORTION OF THE ROADWAY**”; in line 19, after “(f)” insert a closing bracket; in line 21, strike “\$40; and” and substitute “**\$75;**”; in line 22, strike “or subsequent”; in the same line, strike “of \$100” and substitute “**OF NOT MORE THAN \$125; AND**”

(III) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF NOT MORE THAN \$175;

in line 23, strike beginning with “For” through “points” and substitute “**POINTS**”; in line 26, strike “(g)” and substitute “**(F)**”; in the same line, in each instance, strike the bracket; and in lines 26 and 27, strike “**THE PENALTY FOR A VIOLATION**”.

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:

House Bill 781 – Delegate Gilchrist

AN ACT concerning

Vehicle Laws – Towing or Removal of Vehicles – ~~Mailing Charges~~ Notice

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 838 – Delegates Dumais, Anderson, Cardin, Carter, Clippinger, Conaway, Frick, Haynes, Lafferty, Lee, McComas, McDermott, Mitchell, Oaks, V. Turner, Valderrama, Valentino–Smith, and Waldstreicher

AN ACT concerning

Civil Cases – Maryland Legal Services Corporation Fund – Surcharges – ~~Repeal~~ Extension of Termination Date

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 942 – Delegate Lee (Commission on Maryland Cybersecurity Innovation and Excellence) and Delegates Arora, Conaway, DeBoy, Dumais, Glenn, Hough, McComas, McDonough, Mitchell, B. Robinson, Stocksdale, Stukes, Tarrant, F. Turner, Valderrama, Valentino-Smith, and Zucker

AN ACT concerning

Identity Fraud – ~~Medical~~ Health Information and Health Care Records

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 950 – Delegate Dumais

AN ACT concerning

Circuit Court Clerks – 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:

House Bill 1171 – Cecil County Delegation

AN ACT concerning

Cecil County – School Buses – Length of Operation

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:

House Bill 1179 – Delegates Conway and Cane

AN ACT concerning

Vehicle Laws – Motor Scooters and Mopeds – Special Dealer Decals

HB1179/398073/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 1179

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Vehicle Laws” and substitute “Worcester County”; in lines 3 and 9, in each instance, after “dealer” insert “in Worcester County”; in line 5, after the first “dealer” insert “in Worcester County”; and in line 15, after “dealers” insert “in Worcester County”.

AMENDMENT NO. 2

On page 3, in line 4, after “(I)” insert “THIS PARAGRAPH APPLIES ONLY IN WORCESTER COUNTY.

(II)”;

and in lines 9, 12, 21, 25, and 27, strike “(II)”, “(III)”, “(IV)”, “(V)”, and “(VI)”, respectively, and substitute “(III)”, “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively.

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:

House Bill 1211 – Delegates Schulz, Afzali, Aumann, Clagett, Clippinger, Dumais, Eckardt, Frank, Glass, Haddaway–Riccio, Hough, Kaiser, Krebs, McComas, McDermott, W. Miller, Niemann, Olszewski, Parrott, Schuh, Smigiel, Stocksdales, Szeliga, Valderrama, and Vitale

AN ACT concerning

**Estates and Trusts – Slayer’s Statute
(Ann Sue Metz Law)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #39**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 268 – Chair, Appropriations Committee (By Request –
Departmental – University System of Maryland)**

AN ACT concerning

**University of Maryland Center for Environmental Science – Joint Graduate
Degree Granting Authority**

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:

**House Bill 347 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

Professional Engineers – Firm Permits

HB0347/124738/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 347
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “renewal” insert “and reinstatement”; in line 11, after “to” insert “deny a firm permit to an applicant, reprimand a permit holder, suspend or revoke a permit, or”.

On page 2, in line 9, strike “14-411,” and substitute “14-415,”.

AMENDMENT NO. 2

On page 8, strike beginning with “IMPOSE” in line 4 down through “VIOLATION” in line 5 and substitute “DENY A PERMIT TO ANY APPLICANT, REPRIMAND A PERMIT HOLDER, OR SUSPEND OR REVOKE A PERMIT”; in line 7, after “PERMIT;” insert “OR”; strike beginning with “; OR” in line 9 down through “SUBTITLE” in line 12; after line 16, insert:

“(1) IN ADDITION TO A SANCTION IMPOSED UNDER SUBSECTION (A) OF THIS SECTION, THE BOARD MAY IMPOSE A PENALTY NOT EXCEEDING \$5,000 FOR EACH:

(I) VIOLATION FOR WHICH A DENIAL, REPRIMAND, SUSPENSION, OR REVOCATION WAS IMPOSED UNDER SUBSECTION (A) OF THIS SECTION; AND

(II) FAILURE TO MEET OR CONTINUE TO MEET THE QUALIFICATIONS OR REQUIREMENTS SET FORTH IN THIS SUBTITLE.”;

in line 17, before “TO” insert “(2)”; in line 18, strike “SECTION” and substitute “SUBSECTION”; in lines 19, 20, 21, and 22, strike “(1)”, “(2)”, “(3)”, and “(4)”, respectively, and substitute “(I)”, “(II)”, “(III)”, and “(IV)”, respectively; and in line 24, after “UNDER” insert “SUBSECTION (B) OF”.

On page 9, after line 27, insert:

“14-412.

A CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY WHOSE PERMIT HAS BEEN SUSPENDED OR REVOKED UNDER § 14-409 OF THIS SUBTITLE MAY NOT OFFER OR PROVIDE ENGINEERING SERVICES UNTIL THE SUSPENSION IS LIFTED OR THE PERMIT IS REINSTATED.

14-413.

(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY REINSTATE:

(1) A PERMIT THAT HAS BEEN REVOKED; OR

(2) BEFORE FULFILLMENT OF THE CONDITIONS OF THE SUSPENSION, A PERMIT THAT HAS BEEN SUSPENDED.

(B) A PERMIT MAY BE REINSTATED UNDER THIS SECTION ONLY IF:

(1) THE CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY WHOSE PERMIT HAS BEEN REVOKED OR SUSPENDED SUBMITS A WRITTEN REQUEST TO THE BOARD; AND

(2) THE CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

(C) THE BOARD, BY AN AFFIRMATIVE VOTE OF A MAJORITY OF ITS MEMBERS THEN SERVING, SHALL VOTE ON THE REQUEST FOR REINSTATEMENT OR LIFTING OF THE SUSPENSION WITHIN 60 DAYS AFTER RECEIPT OF THE REQUEST.

14-414.

THE BOARD MAY REINSTATE THE PERMIT OF A CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY THAT HAS FAILED TO RENEW THE PERMIT FOR ANY REASON IF THE CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY:

(1) OTHERWISE IS ENTITLED TO A PERMIT; AND

(2) PAYS TO THE BOARD A REINSTATEMENT FEE SET BY THE BOARD.

14-415.

AFTER THE BOARD REINSTATES A PERMIT, THE PERMIT HOLDER SHALL CONTINUE TO COMPLY WITH ALL APPLICABLE REQUIREMENTS SET FORTH IN THIS SUBTITLE.”.

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:

House Bill 351 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation) and Delegate Reznik

AN ACT concerning

State Athletic Commission – Amateur Mixed Martial Arts and Amateur Kick Boxing – Licensing and Regulation

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:

House Bill 353 – Chair, Economic Matters Committee (By Request – Departmental – Labor, Licensing and Regulation)

AN ACT concerning

Professional Engineers and Professional Land Surveyors – Licensing – Examinations

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:

**House Bill 355 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Stationary Engineers – Qualifications for Stationary
Engineer’s Examination – Grade 1 and Grade 2**

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:

House Bill 670 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

**Montgomery County – Board of Education Districts – Town of Kensington in
One District
MC 1–13**

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:

House Bill 674 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Board of Education – Compensation
MC 8–13**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #40**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 359 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Militia – Maryland Defense Force – Enlistment Period

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:

House Bill 401 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

**Military Department – Powers of the Adjutant General – Summary
Courts-Martial**

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:

House Bill 472 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Local Government Article

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:

House Bill 733 – The Speaker (By Request – Department of Legislative Services – Code Revision)

AN ACT concerning

Local Government – Cross-References and Corrections

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #43**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 378 – Delegate Stocksdales

AN ACT concerning

**Maryland Agricultural Land Preservation Fund – Easement Restriction –
Reimbursement**

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:

House Bill 766 – Delegates Frush and Vitale

AN ACT concerning

**~~Environment – Landscape Architects and Land Surveyors – Plan
Certification~~ Severn River Watershed – Silt and Erosion Control –
Certification**

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:

House Bill 901 – Howard County Delegation

AN ACT concerning

Howard County – Alcoholic Beverages Establishments – Distance from Schools

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:

House Bill 1327 – Delegate Otto

AN ACT concerning

Agricultural Commodity – Assessment – Collection

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 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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

SB0592/984534/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 592

(First Reading File Bill)

On page 2, in line 1, after “INCLUDE” insert “SMOOTH-HOUNDS, SPINY DOGFISH, OR”.

The preceding amendment was read and adopted.

Senator Mathias moved, duly seconded, to make the Bill and Report a Special Order for April 3, 2013.

The motion was adopted by a roll call vote as follows:

Affirmative – 23 Negative – 21 (See Roll Call No. 880)

Senate Bill 675 – Senators Manno, Benson, Forehand, Frosh, Montgomery, Pinsky, and Young

AN ACT concerning

Maryland Pesticide Reporting and Information Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0675/654637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 675

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Act” and substitute “Workgroup”; and strike beginning with “requiring” in line 3 down through the second “to” in line 30.

On page 2, strike in their entirety lines 1 through 15, inclusive, and substitute “establishing the Maryland Pesticide Reporting and Information Workgroup; providing for the composition, cochairs, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study and make recommendations regarding the establishment of a pesticide use database; requiring the Workgroup to report its preliminary and final findings and recommendations to certain committees of the General Assembly on or before certain dates; providing for

the termination of this Act; and generally relating to the Maryland Pesticide Reporting and Information Workgroup.”; and strike in their entirety lines 16 through 26, inclusive.

AMENDMENT NO. 2

On page 2, in line 28, strike “the Laws of Maryland read as follows”.

On pages 2 through 14, strike in their entirety the lines beginning with line 29 on page 2 through line 15 on page 14, inclusive, and substitute:

“(a) There is a Maryland Pesticide Reporting and Information Workgroup.

(b) The Workgroup consists of the following members:

(1) two members of the Senate of Maryland, appointed by the President of the Senate;

(2) two members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of Agriculture, or the Secretary’s designee;

(4) the Secretary of Health and Mental Hygiene, or the Secretary’s designee;

(5) the Secretary of Natural Resources, or the Secretary’s designee;

(6) the Secretary of the Environment, or the Secretary’s designee;

(7) the Chair of the Pesticide Advisory Committee, or the Chair’s designee; and

(8) the following members appointed jointly by the President of the Senate and the Speaker of the House:

(i) one representative of the Chesapeake Bay Foundation;

(ii) one representative of the Maryland Pesticide Network;

- Association:
- (iii) one representative of the Maryland Farm Bureau;
 - (iv) one representative of the Maryland State Pest Control
- industry:
- (v) one representative of the Maryland Grain Producers;
 - (vi) one representative from the pesticide manufacturing
- (vii) one representative from the environmental community;
 - (viii) one public health expert;
 - (ix) one public health and toxicology expert;
 - (x) one environmental health expert; and
 - (xi) one farmer.
- (c) (1) The President of the Senate shall designate one of the members appointed from the Senate of Maryland as cochair of the Workgroup.
- (2) The Speaker of the House shall designate one of the members appointed from the House of Delegates as cochair of the Workgroup.
- (d) The Department of Agriculture shall provide staff for the Workgroup.
- (e) A member of the Workgroup:
- (1) may not receive compensation as a member of the Workgroup; but
 - (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.
- (f) The Workgroup shall:
- (1) identify any pesticide use data gaps;

(2) determine the appropriate format to make data available for research;

(3) review scientific research and data regarding the use of pesticides and the potential for harm from pesticides;

(4) determine and make recommendations regarding how to protect the privacy of a person reporting data;

(5) determine and make recommendations regarding the best method for assembling and maintaining data;

(6) determine the need for and make recommendations regarding regulations and guidelines needed for a consistent, unified database;

(7) determine and make recommendations regarding whether legislation is necessary to facilitate access to pesticide information and data;

(8) determine whether it is feasible to gather data from retailers and homeowners; and

(9) consult with the U.S. Environmental Protection Agency and other federal agencies when the Workgroup determines it necessary.

(g) (1) On or before December 31, 2013, the Workgroup shall report its preliminary findings and recommendations to the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee in accordance with § 2-1246 of the State Government Article.

(2) On or before July 1, 2014, the Workgroup shall report its final findings and recommendations to the House Environmental Matters Committee and the Senate Education, Health, and Environmental Affairs Committee in accordance with § 2-1246 of the State Government Article.”

On page 14, in line 16, strike “3.” and substitute “2.”; and in line 17, after “2013.” insert “It shall remain effective for a period of 2 years and, at the end of June 30, 2015, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”

The preceding 2 amendments were read and adopted.

Senator Pipkin moved, duly seconded, to make the Bill and Report a Special Order for April 3, 2013.

The motion was adopted by a roll call vote as follows:

Affirmative – 25 Negative – 19 (See Roll Call No. 881)

Senate Bill 902 – Senators Muse and Zirkin

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0902/434137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 902

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “aggrieved individual” and substitute “occupant, a dependant of an occupant, or a prospective tenant who otherwise meets the requirements for tenancy”; strike beginning with “by” in line 4 down through “operates” in line 5 and substitute “with regard to”; in line 5, after “circumstances;” insert “requiring an occupant, a dependant of an occupant, or a prospective tenant who otherwise meets the requirements for tenancy to provide a certain written notice to a property manager, landlord, or rental agent before filing a complaint under this Act;”; in line 8, after “circumstances;” insert “correcting an obsolete reference; defining a certain term;”; in the same line, after “to” insert “private”; and in line 9, strike “brought by aggrieved individuals”.

AMENDMENT NO. 2

On page 1, in line 19, after “(a)” insert “**(1)**”; in the same line, strike the comma and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(2);

after line 20, insert:

“(3) “HISTORIC PROPERTY” MEANS A QUALIFIED HISTORIC BUILDING OR FACILITY THAT IS:

(I) LISTED OR ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES; OR

(II) DESIGNATED AS HISTORIC UNDER STATE OR LOCAL LAW.”.

AMENDMENT NO. 3

On page 2, in line 1, strike “Governor’s Committee on Employment of People with” and substitute “**MARYLAND DEPARTMENT OF**”.

On page 3, in line 6, after “(1)” insert “**THIS SUBSECTION DOES NOT APPLY TO AN AGGRIEVED INDIVIDUAL WHO HAS AN EXISTING PRIVATE RIGHT OF ACTION AGAINST A HOUSING AUTHORITY TO ENFORCE ACCESSIBILITY REQUIREMENTS UNDER:**

(I) SECTION 504 OF THE FEDERAL REHABILITATION ACT OF 1973; OR

(II) THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990.

(2)”;

strike beginning with “BY” in line 8 down through “OPERATES” in line 9 and substitute “**WITH REGARD TO**”; in line 9, after “THAT” insert “**:**

(I)”;

in line 10, after “CODE” insert “**; BUT**

(II) IS NOT A HISTORIC PROPERTY”;

in line 18, strike “PLAINTIFF” and substitute “PARTY”; and in lines 18 and 19, strike “AND PUNITIVE”.

On page 3, in line 6, strike “AN AGGRIEVED INDIVIDUAL” and substitute “SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, AN OCCUPANT, A DEPENDANT OF AN OCCUPANT, OR A PROSPECTIVE TENANT WHO OTHERWISE MEETS THE REQUIREMENTS FOR TENANCY”; after line 10, insert:

“(3) AT LEAST 30 DAYS BEFORE FILING A COMPLAINT UNDER THIS SUBSECTION, AN OCCUPANT, A DEPENDANT OF AN OCCUPANT, OR A PROSPECTIVE TENANT WHO OTHERWISE MEETS THE REQUIREMENTS FOR TENANCY SHALL PROVIDE WRITTEN NOTICE TO THE PROPERTY MANAGER, LANDLORD, OR RENTAL AGENT THAT:

(I) STATES THAT THE OCCUPANT, DEPENDANT OF AN OCCUPANT, OR PROSPECTIVE TENANT WHO OTHERWISE MEETS THE REQUIREMENTS FOR TENANCY NEEDS ACCESSIBILITY;

(II) IDENTIFIES THE LOCATION OF THE MULTIFAMILY BUILDING THAT IS ALLEGED TO BE NONCOMPLIANT; AND

(III) STATES THAT THE OWNER OF THE MULTIFAMILY BUILDING HAS 30 DAYS FROM THE DATE OF THE NOTICE TO MAKE ARRANGEMENTS TO BRING THE MULTIFAMILY BUILDING INTO COMPLIANCE.”;

and in line 11, strike “(2)” and substitute “(4)”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1039 – The President (By Request – Commission to Study Campaign Finance Law) and Senators Ferguson and Benson

AN ACT concerning

Campaign Finance Reform Act of 2013

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (7) AND THE FAVORABLE REPORT.

SB1039/924233/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1039

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 8 in its entirety and substitute “providing that a candidate may join a slate or continue as a member of a slate only”; and in line 23, after “members;” insert “establishing a limit on the amount of transfers a legislative party caucus committee may make in an election cycle to the authorized candidate campaign committee of a candidate the legislative party caucus committee seeks to elect”.

On page 2, in line 1, after “manner;” insert “altering certain requirements for contributions received from the sale of a raffle ticket, spin, or chance at a campaign fundraising event”; in line 2, after “of” insert “certain”; in line 4, after “contribution;” insert “authorizing a political committee to report certain contributions collected in a certain manner on its campaign finance reports without providing certain information about each contribution under certain circumstances”; and in line 47, strike “verify that” and substitute “require”.

On page 3, in line 1, after “business” insert “with the governmental entity to certify that the person”; strike beginning with “before” in line 1 down through “contract” in line 2 and substitute “under certain circumstances; providing a certain exception; requiring a governmental entity to notify the State Board of persons doing public business with the governmental entity who are required to file a certain statement of contributions within a certain period of time; requiring certain participating organizations, as defined, making certain contributions or donations or certain disbursements to register with the State Board and file a certain report under certain circumstances; altering the deadline date for certain candidates to file a certificate of candidacy; altering the date by which the State Board shall certify the content and arrangement of a certain ballot”; in line 11, after “terms;” insert “making the provisions of this Act severable”; in line 12, after “date” insert “for certain”.

provisions of this Act”; in line 16, after “2–102,” insert “5–303, 9–207(a),”; and in line 24, after “13–309.1,” insert “13–309.2,”.

AMENDMENT NO. 2

On page 4, strike in their entirety lines 16 through 28, inclusive.

On page 6, strike in their entirety lines 11 through 18, inclusive.

On page 7, strike in their entirety lines 21 through 26, inclusive.

On pages 8 and 9, strike the lines beginning with line 21 on page 8 through line 12 on page 9, inclusive.

On pages 14 and 15, strike the lines beginning with line 1 on page 14 through line 25 on page 15, inclusive.

On pages 30 and 31, strike the lines beginning with line 1 on page 30 through line 13 on page 31, inclusive.

On pages 35 through 40, strike the lines beginning with line 21 on page 35 through line 2 on page 40, inclusive.

AMENDMENT NO. 3

On page 46, after line 24, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

1–101.

(BB–1) “LEGISLATIVE PARTY CAUCUS COMMITTEE” MEANS A POLITICAL COMMITTEE THAT IS ESTABLISHED TO PROMOTE THE ELECTION OF CANDIDATES OF A SINGLE POLITICAL PARTY TO ONE OF THE TWO HOUSES OF THE GENERAL ASSEMBLY.

(ff) “Political action committee” means a political committee that is not:

- (1) a political party;
- (2) a central committee;
- (3) a slate;
- (4) **A LEGISLATIVE PARTY CAUCUS COMMITTEE;**

~~[(4)]~~ (5) [a political committee organized and operated solely to support or oppose a single candidate] AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE; or

~~[(5)]~~ (6) [a political committee organized and operated solely to support or oppose] a ballot issue COMMITTEE.

5-303.

(a) Except as provided in subsections (b) and (c) of this section:

(1) in the year in which the Governor is elected, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday [following the second Tuesday in April in the year in] THAT IS 24 WEEKS BEFORE THE DAY ON which the primary election will be held; and

(2) for any other regularly scheduled election, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday that is 83 days before the day on which the primary election will be held.

(b) A certificate of candidacy for an office to be filled by a special election under this article shall be received and filed in the office of the appropriate board not later than 5 p.m. on the Monday that is 3 weeks or 21 days prior to the date for the special primary election specified by the Governor in the proclamation for the special primary election.

(c) The certificate of candidacy for the election of a write-in candidate shall be filed by the earlier of:

(1) 7 days after a total expenditure of at least \$51 is made to promote the candidacy by a campaign finance entity of the candidate; or

(2) 5 p.m. on the Wednesday preceding the day of the election for which the certificate is filed.

9–207.

(a) The State Board shall certify the content and arrangement of each ballot:

(1) for a primary election, no more than 11 days after the filing date provided in § 5–303 of this article;

(2) for a general election[;

(i) in the year that the President of the United States is elected], at least 55 days before the election[; and

(ii) in any other year, not more than 18 days after the primary election];

(3) for a special primary election, at least 18 days before the election; and

(4) for a special general election, not later than a date specified in the Governor’s proclamation.

13–202.

(a) Unless otherwise expressly authorized by law, all campaign finance activity for an election under this article shall be conducted through a campaign finance entity.

(b) An individual may not file a certificate of candidacy **OR A DECLARATION OF INTENT UNDER § 5–703 OR § 5–703.1 OF THIS ARTICLE** until the individual establishes, or causes to be established, an authorized [political] **CANDIDATE CAMPAIGN** committee.

13–208.1.

(A) EACH POLITICAL PARTY MAY ESTABLISH ONE LEGISLATIVE PARTY CAUCUS COMMITTEE FOR EACH HOUSE OF THE GENERAL ASSEMBLY.

(B) THE STATE BOARD SHALL ADOPT REGULATIONS GOVERNING THE ESTABLISHMENT, STRUCTURE, AND OPERATION OF LEGISLATIVE PARTY CAUCUS COMMITTEES.

13-220.1.

(A) EACH CENTRAL COMMITTEE OF A POLITICAL PARTY OR LEGISLATIVE PARTY CAUCUS COMMITTEE MAY ESTABLISH ONE ADMINISTRATIVE ACCOUNT.

(B) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT MAY BE MADE ONLY FOR NONELECTORAL PURPOSES.

(C) A DONATION TO AN ADMINISTRATIVE ACCOUNT:

(1) MAY BE MADE ONLY IF THE DONOR IS AWARE THAT THE DONATION WILL BE USED FOR NONELECTORAL PURPOSES AND CONSENTS TO THAT USE BEFORE MAKING THE DONATION; AND

(2) IS NOT SUBJECT TO § 13-226(B) OF THIS SUBTITLE.

(D) A CAMPAIGN FINANCE ENTITY MAY NOT MAKE A TRANSFER TO AN ADMINISTRATIVE ACCOUNT.

(E) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:

(1) DEFINE PERMISSIBLE NONELECTORAL DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT; AND

(2) REQUIRE DISCLOSURE OF:

(I) DONATIONS TO AN ADMINISTRATIVE ACCOUNT; AND

(II) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT.

13-234.

(a) A contribution of money may be made only by:

(1) check;

(2) credit card;

(3) cash, if the contribution does not exceed \$100 IN AN ELECTION CYCLE; or

(4) an electronic method that the State Board authorizes by regulation.

(b) An electronic method of making a contribution that the State Board authorizes under this section shall ensure that:

(1) the identity of the person making the contribution may be verified;

(2) the transaction is secure; and

(3) there is an adequate record of the transaction.

13-235.

(a) This section applies to the following officials:

(1) the Governor;

(2) the Lieutenant Governor;

(3) the Attorney General;

(4) the Comptroller; and

(5) a member of the General Assembly.

(b) Except as provided in subsection (c) [or], (d), OR (E) of this section, during a regular session of the General Assembly an official described in subsection (a) of this section, or a person acting on behalf of the official, may not, as to a candidate for federal, State, or local office, or a campaign finance entity of the candidate or any other campaign finance entity organized under this title and operated in coordination with a candidate:

- (1) receive a contribution;
- (2) conduct a fund-raising event;
- (3) solicit or sell a ticket to a fund-raising event; or
- (4) deposit or use any contribution of money that was not deposited prior to the session.

(c) An official described in subsection (a) of this section, or a person acting on behalf of the official, is not subject to this section when engaged in activities solely related to the official's election to an elective federal or local office for which the official is a filed candidate.

(d) Under the Public Financing Act, a gubernatorial ticket, during the year of the election only, may accept eligible private contributions and any disbursement of funds by the State Board that is based on the eligible private contributions.

(E) AN OFFICIAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION, OR A PERSON ACTING ON BEHALF OF THE OFFICIAL, MAY DEPOSIT A CONTRIBUTION DURING THE LEGISLATIVE SESSION IF THE CONTRIBUTION WAS MADE ELECTRONICALLY BEFORE THE START OF THE SESSION.

[(e)] (F) (1) As to a violation of this section, the campaign finance entity of the official in violation is liable for a civil penalty as provided in this subsection.

(2) The State Board, represented by the State Prosecutor, may institute a civil action in the circuit court for any county seeking the civil penalty provided in this subsection.

(3) A campaign finance entity that receives a contribution as a result of the violation shall:

(i) refund the contribution to the contributor; and

(ii) pay a civil penalty that equals the sum of \$1,000 plus the amount of the contribution.

13–309.

(a) Subject to other provisions of this subtitle AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, a campaign finance entity shall file campaign finance reports as follows:

(1) except for a ballot issue committee, on or before the fourth Tuesday immediately preceding each primary election [except a presidential primary election];

(2) except for a ballot issue committee, on or before the second Friday immediately preceding a primary election;

(3) ON OR BEFORE THE LAST TUESDAY IN AUGUST IMMEDIATELY PRECEDING A GENERAL ELECTION;

[(3)] (4) for a ballot issue committee only, on or before the fourth Friday immediately preceding a general election;

[(4)] (5) on or before the second Friday immediately preceding a general election; and

[(5)] (6) on or before the third Tuesday after a general election.

(b) (1) A campaign finance entity is subject to subsection (a) of this section and this subsection only as to the election in which the entity designates that it will participate.

(2) In addition to the campaign finance reports required under subsection (a) of this section, but subject to paragraph (4) of this subsection, a campaign finance entity shall file A campaign finance [reports] REPORT on the third Wednesday in January.

(3) (i) If subsequent to the filing of its declaration under § 13-208(c)(3) of this title, a campaign finance entity participates in an election in which it was not designated to participate, the campaign finance entity shall file all campaign FINANCE reports prescribed under subsection (a) of this section for that election.

(ii) A violation of subparagraph (i) of this paragraph constitutes a failure to file by the campaign finance entity, and the responsible officer is guilty of a misdemeanor and on conviction is subject to the penalties prescribed under Part VII of this subtitle.

(4) If a campaign finance entity has neither a cash balance nor an outstanding obligation at the end of a reporting period, a campaign finance report for that period, clearly marked as “final”, shall be filed on or before the due date, and no further report is required.

(c) In addition to the campaign FINANCE reports required under subsection (a) of this section, a continuing political committee shall file a campaign finance report on the third Wednesday in January of each year the committee is in existence.

(D) AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE FOR ELECTION TO THE CENTRAL COMMITTEE OF A POLITICAL PARTY:

(1) SHALL FILE A CAMPAIGN FINANCE REPORT ON OR BEFORE THE THIRD TUESDAY AFTER A GUBERNATORIAL PRIMARY ELECTION; AND

(2) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION AND § 13-310 OF THIS SUBTITLE, IS NOT REQUIRED TO FILE ANY OTHER CAMPAIGN FINANCE REPORTS.

13-604.1.

(A) IN THIS SECTION, “PERSON” INCLUDES A POLITICAL COMMITTEE.

(B) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY IN ACCORDANCE WITH THIS SECTION FOR THE FOLLOWING VIOLATIONS:

(1) MAKING A DISBURSEMENT IN A MANNER NOT AUTHORIZED IN § 13-218(B)(2), (C), AND (D) OF THIS TITLE;

(2) FAILURE TO MAINTAIN A CAMPAIGN BANK ACCOUNT AS REQUIRED IN § 13-220(A) OF THIS TITLE;

(3) MAKING A DISBURSEMENT BY A METHOD NOT AUTHORIZED IN § 13-220(D) OF THIS TITLE;

(4) FAILURE TO MAINTAIN DETAILED AND ACCURATE ACCOUNT BOOKS AND RECORDS AS REQUIRED IN § 13-221 OF THIS TITLE;

(5) FAILURE TO REPORT ALL CONTRIBUTIONS RECEIVED AND EXPENDITURES MADE AS REQUIRED IN § 13-304(B) OF THIS TITLE;

(6) FAILURE TO INCLUDE AN AUTHORITY LINE ON CAMPAIGN MATERIAL AS REQUIRED IN § 13-401 OF THIS TITLE; OR

(7) FAILURE TO RETAIN A COPY OF CAMPAIGN MATERIAL AS REQUIRED IN § 13-403 OF THIS TITLE.

(C) A CIVIL PENALTY IMPOSED UNDER THIS SECTION FOR A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION IS IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW.

(D) THE AMOUNT OF A CIVIL PENALTY IMPOSED UNDER THIS SECTION MAY NOT EXCEED \$500 FOR EACH VIOLATION.

(E) THE CIVIL PENALTY IS PAYABLE TO THE STATE BOARD BY THE PERSON CHARGED IN A CITATION WITHIN 20 CALENDAR DAYS AFTER SERVICE OF THE CITATION.

(F) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A CIVIL PENALTY IMPOSED UNDER THIS SECTION SHALL BE PAID BY THE CAMPAIGN FINANCE ENTITY.

(2) IF THE CAMPAIGN FINANCE ENTITY HAS INSUFFICIENT FUNDS WITH WHICH TO PAY THE FULL AMOUNT OF THE CIVIL PENALTY IN A TIMELY MANNER, AFTER THE CAMPAIGN ACCOUNT OF THE FINANCE ENTITY IS EXHAUSTED THE BALANCE OF THE CIVIL PENALTY IS THE JOINT AND SEVERAL LIABILITY OF THE RESPONSIBLE OFFICERS.

(3) IF A VIOLATION IS COMMITTED BY A PERSON NOT ACTING ON BEHALF OF, OR AT THE REQUEST OR SUGGESTION OF, A CANDIDATE OR A CAMPAIGN FINANCE ENTITY, THE CIVIL PENALTY SHALL BE PAID BY THE PERSON WHO COMMITTED THE VIOLATION.

(G) THE STATE BOARD MAY ISSUE A CITATION TO ANY PERSON THE STATE BOARD BELIEVES IS COMMITTING OR HAS COMMITTED A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION.

(H) THE CITATION SHALL BE SERVED ON THE DEFENDANT IN ACCORDANCE WITH THE MARYLAND RULES.

(I) THE CITATION SHALL CONTAIN:

(1) THE CERTIFICATION BY THE STATE BOARD ATTESTING TO THE TRUTH OF THE MATTER SET FORTH IN THE CITATION;

(2) THE NAME AND ADDRESS OF THE PERSON CHARGED;

(3) THE NATURE, TIME, AND PLACE OF THE VIOLATION;

(4) THE MANNER IN WHICH THE VIOLATION OCCURRED;

(5) THE AMOUNT OF THE PENALTY ASSESSED;

(6) THE MANNER, TIME, AND LOCATION TO PAY THE PENALTY;

(7) A STATEMENT THAT THE PERSON RECEIVING THE CITATION HAS A RIGHT TO TRIAL IN THE DISTRICT COURT; AND

(8) THE EFFECT OF FAILING TO PAY THE ASSESSED FINE OR OF FAILING TO DEMAND A TRIAL WITHIN THE PRESCRIBED TIME.

(J) (1) A PERSON CHARGED IN A CITATION MAY ELECT TO STAND TRIAL FOR THE VIOLATION BY NOTIFYING THE STATE BOARD IN WRITING OF THE PERSON'S INTENT TO STAND TRIAL.

(2) THE WRITTEN NOTICE SHALL BE GIVEN AT LEAST 5 DAYS BEFORE THE DATE OF PAYMENT AS SET FORTH IN THE CITATION.

(K) (1) ON RECEIPT OF THE WRITTEN NOTICE OF INTENT TO STAND TRIAL, THE STATE BOARD SHALL FORWARD TO THE STATE PROSECUTOR A COPY OF THE CITATION AND THE WRITTEN NOTICE.

(2) THE STATE PROSECUTOR SHALL FORWARD TO THE DISTRICT COURT HAVING VENUE A COPY OF THE CITATION AND THE WRITTEN NOTICE.

(3) ON RECEIPT OF THE CITATION AND THE WRITTEN NOTICE:

(I) THE STATE PROSECUTOR SHALL ASSUME RESPONSIBILITY FOR PROSECUTING THE VIOLATION; AND

(II) THE DISTRICT COURT SHALL SCHEDULE THE CASE FOR TRIAL, NOTIFY THE DEFENDANT OF THE TRIAL DATE, AND SUMMON THE DEFENDANT TO APPEAR.

(L) (1) IF A PERSON CHARGED IN A CITATION FAILS TO PAY THE PENALTY BY THE DATE OF PAYMENT SET FORTH IN THE CITATION AND FAILS TO DELIVER TO THE STATE BOARD THE WRITTEN NOTICE OF INTENT TO STAND TRIAL, THE PERSON IS LIABLE FOR THE ASSESSED PENALTY.

(2) THE STATE PROSECUTOR, ON BEHALF OF THE STATE BOARD, MAY DOUBLE THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000 AND REQUEST ADJUDICATION OF THE CASE THROUGH THE DISTRICT COURT BY FILING A DEMAND FOR JUDGMENT ON AFFIDAVIT.

(M) THE DEFENDANT'S FAILURE TO RESPOND TO THE SUMMONS OF THE DISTRICT COURT SHALL RESULT IN THE ENTRY OF JUDGMENT AGAINST THE DEFENDANT IN FAVOR OF THE STATE BOARD IN THE AMOUNT SET FORTH IN THE CITATION IF A PROPER DEMAND FOR JUDGMENT ON AFFIDAVIT HAS BEEN MADE.

(N) IF A PERSON IS FOUND BY THE DISTRICT COURT TO HAVE COMMITTED A VIOLATION:

(1) (I) THE DISTRICT COURT SHALL ORDER THE PERSON TO PAY THE PENALTY SET FORTH IN THE CITATION AND MAY DOUBLE THE AMOUNT OF THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000;

(II) THE PENALTY IMPOSED SHALL CONSTITUTE A JUDGMENT IN FAVOR OF THE STATE BOARD; AND

(III) IF THE PENALTY REMAINS UNPAID FOR 30 DAYS FOLLOWING THE DATE OF ITS ENTRY, THE JUDGMENT SHALL BE ENFORCEABLE IN THE SAME MANNER AND TO THE SAME EXTENT AS OTHER CIVIL JUDGMENTS FOR MONEY UNLESS THE COURT HAS SUSPENDED OR DEFERRED PAYMENT OF THE PENALTY AS PROVIDED IN ITEM (2) OF THIS SUBSECTION;

(2) THE DISTRICT COURT MAY SUSPEND OR DEFER THE PAYMENT OF ANY PENALTY UNDER CONDITIONS THAT THE COURT SETS;

(3) THE DEFENDANT SHALL BE LIABLE FOR THE COSTS OF THE PROCEEDINGS IN THE DISTRICT COURT; AND

(4) THE DISTRICT COURT MAY ORDER THE PERSON TO ABATE THE VIOLATION.

(O) IF A DEFENDANT FAILS TO PAY ANY PENALTY OR COST IMPOSED BY THE DISTRICT COURT WITHOUT GOOD CAUSE, THE DISTRICT COURT MAY PUNISH THE FAILURE AS CONTEMPT OF COURT.

(P) ADJUDICATION OF A VIOLATION UNDER THIS SECTION:

(1) IS NOT A CRIMINAL CONVICTION; AND

(2) DOES NOT IMPOSE ANY OF THE CIVIL DISABILITIES THAT ARISE FROM A CRIMINAL CONVICTION.

(Q) IN A DISTRICT COURT PROCEEDING RELATING TO A VIOLATION UNDER THIS SECTION:

(1) THE STATE PROSECUTOR HAS THE BURDEN TO PROVE THAT THE DEFENDANT HAS COMMITTED THE VIOLATION BY CLEAR AND CONVINCING EVIDENCE;

(2) THE DISTRICT COURT SHALL APPLY THE EVIDENTIARY STANDARDS AS PROVIDED BY LAW OR RULE FOR THE TRIAL OF CIVIL CAUSES;

(3) THE DISTRICT COURT SHALL ENSURE THAT THE DEFENDANT HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT THE DEFENDANT UNDERSTANDS THOSE CHARGES;

(4) THE DEFENDANT MAY CROSS-EXAMINE ALL WITNESSES WHO APPEAR AGAINST THE DEFENDANT, PRODUCE EVIDENCE OR WITNESSES IN THE DEFENDANT'S OWN BEHALF, OR TESTIFY IN THE DEFENDANT'S OWN BEHALF;

(5) THE DEFENDANT SHALL BE ENTITLED TO BE REPRESENTED BY COUNSEL OF THE DEFENDANT'S OWN SELECTION AND AT THE DEFENDANT'S OWN EXPENSE;

(6) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT GUILTY OF THE VIOLATION AS CHARGED; AND

(7) THE VERDICT OF THE DISTRICT COURT SHALL BE GUILTY OF A VIOLATION OR NOT GUILTY OF A VIOLATION, OR THE DISTRICT COURT MAY, BEFORE RENDERING JUDGMENT, PLACE THE DEFENDANT ON PROBATION.

(R) THE STATE BOARD SHALL CONSIDER THE FOLLOWING IN DETERMINING THE AMOUNT OF A PENALTY UNDER THIS SECTION:

(1) THE SEVERITY OF THE VIOLATION FOR WHICH THE PENALTY IS TO BE ASSESSED;

(2) THE GOOD FAITH OF THE VIOLATOR; AND

(3) ANY HISTORY OF PRIOR VIOLATIONS.

(S) PENALTIES COLLECTED UNDER THIS SECTION SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE.”.

AMENDMENT NO. 4

On pages 10 and 11, strike beginning with line 23 on page 10 down through line 29 on page 11, inclusive.

On page 11, in line 30, strike the brackets; in the same line, strike “(E)”; and in line 33, strike “(F)” and substitute “(E)”.

AMENDMENT NO. 5

On page 4, in line 13, strike “A LOAN,”.

On pages 4 and 5, strike beginning with “ASSISTING” in line 30 on page 4 down through “in” in line 1 on page 5.

On page 8, strike in their entirety lines 4 through 7, inclusive, and substitute:

“(D) A CANDIDATE MAY JOIN A SLATE OR CONTINUE AS A MEMBER OF A SLATE ONLY IF:

(1) THE CANDIDATE HAS FILED A CERTIFICATE OF CANDIDACY;

OR

(2) (I) THE CANDIDATE IS AN INCUMBENT OFFICEHOLDER;

AND

(II) THE DEADLINE FOR FILING A CERTIFICATE OF CANDIDACY FOR THE OFFICE THE CANDIDATE HOLDS HAS NOT PASSED.”.

On page 12, in line 2, strike “AND ANY OTHER BUSINESS” and substitute “OR OTHER”; strike beginning with “and” in line 16 down through “(2)” in line 17 and substitute:

“(2) BY THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A MEMBER OF A SLATE TO A SLATE OF WHICH THE CANDIDATE IS A MEMBER;

(3) BY THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEES OF THE CANDIDATES THAT A LEGISLATIVE PARTY CAUCUS COMMITTEE SEEKS TO ELECT TO THE LEGISLATIVE PARTY CAUCUS COMMITTEE; AND

(4);

in line 24, strike the brackets; strike in their entirety lines 25 through 28, inclusive, and substitute:

“(III) THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE.”;

and in line 30, strike “PARAGRAPH (2)” and substitute “PARAGRAPHS (2) AND (3)”.

On page 13, in line 2, strike “ONE OR MORE” and substitute “THE”; in line 3, strike “COMMITTEES” and substitute “COMMITTEE”; and after line 4, insert:

“(3) DURING AN ELECTION CYCLE, A LEGISLATIVE PARTY CAUCUS COMMITTEE MAY NOT MAKE TRANSFERS DIRECTLY TO THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE THAT THE LEGISLATIVE PARTY CAUCUS COMMITTEE SEEKS TO ELECT IN A CUMULATIVE AMOUNT OF MORE THAN \$24,000.”

On page 15, in line 28, after “fortune” insert “OR A RAFFLE”; and in line 32, strike “money” and substitute “CONTRIBUTIONS”.

On page 16, in line 1, after “chance” insert “OR A RAFFLE TICKET”; strike beginning with “purchaser” in line 1 down through “book” in line 2 and substitute “CONTRIBUTOR ON ITS CAMPAIGN FINANCE REPORTS”; in line 4, after “committee”

insert "FROM THE RAFFLE, SPIN, OR CHANCE"; in the same line, after the third "the" insert "FUNDRAISING"; in line 6, strike "individual" and substitute "PERSON"; in line 10, strike the second "and"; and in line 12, after "\$2,500" insert ";

(5) A RAFFLE IS CONDUCTED IN ACCORDANCE WITH § 12-106(B) OF THE CRIMINAL LAW ARTICLE; AND

(6) THE POLITICAL COMMITTEE INCLUDES ON ITS CAMPAIGN FINANCE REPORT:

(I) A LUMP SUM CONTRIBUTION OF THE NET AMOUNT RECEIVED BY THE POLITICAL COMMITTEE FROM THE RAFFLE, SPIN, OR CHANCE AT THE FUNDRAISING EVENT; AND

(II) THE TOTAL NUMBER OF PERSONS PURCHASING A RAFFLE TICKET, SPIN, OR CHANCE AT THE EVENT".

On page 17, in lines 5 and 8, in each instance, after "ELECTION" insert "YEAR"; and in line 22, strike "ORGANIZED" and substitute "REGISTERED AND FILES THE REPORTS".

On page 18, in line 12, after "(1)" insert "IN THIS SUBSECTION, "ELIGIBLE CONTRIBUTION" MEANS A CONTRIBUTION OR SERIES OF CONTRIBUTIONS MADE BY THE SAME PERSON FOR WHICH A RECEIPT IS NOT REQUIRED TO BE ISSUED UNDER § 13-222 OF THIS TITLE.

(2)";

in line 14, strike "**(2)**" and substitute "**(3)**"; in the same line, strike "**PARAGRAPH (3)**" and substitute "**PARAGRAPHS (4) AND (5)**"; in line 15, strike "AN AUTHORIZED CANDIDATE CAMPAIGN" and substitute "A POLITICAL"; in line 19, after "AND" insert "RESIDENTIAL"; in the same line, after "CONTRIBUTOR" insert ", UNLESS A CONTRIBUTOR RECEIVES A CONFIDENTIALITY WAIVER FROM THE STATE BOARD FOR A RESIDENTIAL ADDRESS, IN WHICH CASE A SUITABLE ALTERNATIVE ADDRESS APPROVED BY THE STATE BOARD MAY BE USED"; in line

20, strike “(3)” and substitute “(4)”; in line 21, after the first “IN” insert “ELIGIBLE”; in line 23, strike “(2)” and substitute “(3)”; and after line 23, insert:

“(5) A POLITICAL COMMITTEE MAY REPORT ELIGIBLE CONTRIBUTIONS COLLECTED IN ACCORDANCE WITH § 13-241 OR § 13-242 OF THIS TITLE ON ITS CAMPAIGN FINANCE REPORTS IN THE MANNER SPECIFIED IN PARAGRAPH (4) OF THIS SUBSECTION IF THE FOLLOWING IS INCLUDED ON THE POLITICAL COMMITTEE’S CAMPAIGN FINANCE REPORT:

(I) A LUMP SUM CONTRIBUTION OF THE TOTAL AMOUNT RECEIVED BY THE POLITICAL COMMITTEE IN THE FORM OF ELIGIBLE CONTRIBUTIONS;

(II) THE NUMBER OF INDIVIDUALS MAKING ELIGIBLE CONTRIBUTIONS; AND

(III) THE AVERAGE AMOUNT OF THE ELIGIBLE CONTRIBUTIONS RECEIVED BY THE POLITICAL COMMITTEE.”.

On page 19, in line 28, after “PERSON” insert “, WHETHER FOR PROFIT OR NOT FOR PROFIT,”.

On page 20, in line 26, strike the second “or”; after line 26, insert:

“2. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13-243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”;

and in line 27, strike “2.” and substitute “3.”.

On page 22, in line 33, strike “IN” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN”.

On page 23, in lines 4 and 7, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 9, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN INDEPENDENT EXPENDITURE REPORT OR AN AMENDED INDEPENDENT EXPENDITURE REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. \$100 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

On page 24, in line 21, after “PERSON” insert “, WHETHER FOR PROFIT OR NOT FOR PROFIT,”.

On page 25, in line 23, strike the second “or”; after line 23, insert:

“4. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13-243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”;

and in line 24, strike “4.” and substitute “5.”.

On page 28, in line 20, strike “IN” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN**”; in lines 25 and 28, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 30, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN ELECTIONEERING COMMUNICATION REPORT OR AN AMENDED ELECTIONEERING COMMUNICATION REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. \$100 FOR EACH DAY OR PART OF A DAY THAT AN ELECTIONEERING COMMUNICATION REPORT OR AMENDED ELECTIONEERING COMMUNICATION REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

On page 31, in lines 17, 18, 21, and 22, in each instance, after “POLITICAL” insert “ACTION”; strike beginning with “IF” in line 17 down through “EXCLUSIVELY” in line 18, and substitute “THAT EXCLUSIVELY MAKES”; in line 24, after “(D)” insert “(1)”; in the same line, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; after line 26, insert:

“(2) THE POLITICAL ACTION COMMITTEE SHALL INCLUDE ALL OF THE INFORMATION REPORTED ON A DISCLOSURE REPORT ON ITS REGULARLY FILED CAMPAIGN FINANCE REPORTS.”;

and strike in their entirety lines 27 through 30, inclusive, and substitute:

“(E) A POLITICAL ACTION COMMITTEE SHALL FILE A DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR MORE ON CAMPAIGN MATERIAL DURING THE REPORTING PERIOD COVERED BY ITS NEXT CAMPAIGN FINANCE REPORT.”.

On page 32, strike in their entirety lines 1 through 6, inclusive, and substitute:

“(F) A POLITICAL ACTION COMMITTEE SHALL FILE AN ADDITIONAL DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR MORE

ON CAMPAIGN MATERIAL FOLLOWING THE CLOSING DATE OF THE IMMEDIATELY PRECEDING DISCLOSURE REPORT FILED BY THE POLITICAL ACTION COMMITTEE.”;

in lines 9, 13, 17, and 18, in each instance, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and in lines 12 and 13, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”.

On page 34, in line 11, after “(A)” insert “(1)”; and after line 14, insert:

“(2) WHEN ESTABLISHING A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR ELECTIVE OFFICES IN THE EXECUTIVE OR LEGISLATIVE BRANCHES OF COUNTY GOVERNMENT, THE GOVERNING BODY OF A COUNTY SHALL SPECIFY THE CRITERIA THAT IS TO BE USED TO DETERMINE WHETHER AN INDIVIDUAL IS ELIGIBLE FOR PUBLIC CAMPAIGN FINANCING.”.

On page 40, strike in their entirety lines 12 through 15, inclusive, and substitute:

“(E) (1) “CONTRACT” MEANS AN AGREEMENT IN ANY FORM ENTERED INTO BY A GOVERNMENTAL ENTITY FOR A PROCUREMENT AS DEFINED IN § 11-101(M)(1) OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) “CONTRACT” DOES NOT INCLUDE:

(I) A COLLECTIVE BARGAINING AGREEMENT WITH AN EMPLOYEE ORGANIZATION;

(II) AN AGREEMENT WITH A CONTRACTUAL EMPLOYEE, AS DEFINED IN § 1-101(D) OF THE STATE PERSONNEL AND PENSIONS ARTICLE;

(III) A MEDICAID, JUDICARE, OR SIMILAR REIMBURSEMENT CONTRACT FOR WHICH LAW SETS:

1. USER OR RECIPIENT ELIGIBILITY; AND

2. THE PRICE PAYABLE BY THE STATE; OR

(IV) A MEDICAID CONTRACT WITH A MANAGED CARE ORGANIZATION, AS DEFINED IN § 15-101(E) OF THE HEALTH – GENERAL ARTICLE AS TO WHICH REGULATIONS ADOPTED BY THE DEPARTMENT ESTABLISH:

1. RECIPIENT ELIGIBILITY;
2. MINIMUM QUALIFICATIONS FOR MANAGED CARE ORGANIZATIONS; AND
3. CRITERIA FOR ENROLLING RECIPIENTS IN MANAGED CARE ORGANIZATIONS.”.

On page 43, in lines 11 and 12, in each instance, strike the bracket.

On page 45, in line 6, strike “A” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A”; in line 8, strike “VERIFY” and substitute “:

(I) REQUIRE THE PERSON TO CERTIFY”;

strike beginning with “BEFORE” in line 9 down through “CONTRACT.” in line 10 and substitute “; AND”; in line 11, strike “(2) A GOVERNMENTAL ENTITY SHALL” and substitute “(II)”; after line 13, insert:

“(2) THIS SUBSECTION DOES NOT APPLY TO A CONTRACT FOR WHICH NOTICE OF AWARD HAS BEEN POSTED ON EMARYLAND MARKETPLACE.”;

and after line 29, insert:

“(3) LATE FILING FEES IMPOSED UNDER THIS SUBSECTION SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE.”.

AMENDMENT NO. 6

On page 32, after line 24, insert:

“13-309.2.

(A) IN THIS SECTION, “PARTICIPATING ORGANIZATION” MEANS ANY ENTITY THAT IS ORGANIZED UNDER § 501(C)(4) OR (6) OR § 527 OF THE INTERNAL REVENUE CODE AND MAKES:

(1) A CONTRIBUTION TO A CAMPAIGN FINANCE ENTITY FOR THE EXPRESS PURPOSE OF CAUSING THE CAMPAIGN FINANCE ENTITY TO MAKE A DISBURSEMENT IN THE STATE;

(2) A DONATION TO A PERSON FOR THE EXPRESS PURPOSE OF CAUSING THE PERSON TO MAKE AN INDEPENDENT EXPENDITURE OR A DISBURSEMENT FOR ELECTIONEERING COMMUNICATIONS IN THE STATE; OR

(3) A DONATION TO AN OUT-OF-STATE POLITICAL COMMITTEE FOR THE EXPRESS PURPOSE OF CAUSING THE POLITICAL COMMITTEE TO MAKE A DISBURSEMENT IN THE STATE.

(B) WITHIN 48 HOURS AFTER A PARTICIPATING ORGANIZATION MAKES A CONTRIBUTION, DONATION, OR DISBURSEMENT OF \$6,000 OR MORE IN AN ELECTION CYCLE THE PARTICIPATING ORGANIZATION SHALL FILE A REGISTRATION FORM WITH THE STATE BOARD.

(C) A PARTICIPATING ORGANIZATION SHALL FILE A REPORT WITH THE STATE BOARD IN THE YEAR OF THE ELECTION FOR WHICH IT IS PARTICIPATING FOR THE PERIODS AND ON OR BEFORE THE DATES THAT A CAMPAIGN FINANCE ENTITY FOR A CANDIDATE IS REQUIRED TO FILE A CAMPAIGN FINANCE REPORT UNDER THIS SUBTITLE.

(D) THE REPORT SHALL INCLUDE ALL DISBURSEMENTS MADE TO INFLUENCE AN ELECTION IN THE STATE AND EITHER:

(1) THE NAME, ADDRESS, AND OCCUPATION, IF ANY, OF THE FIVE DONORS WHO GAVE THE LARGEST AMOUNT OF MONEY TO THE PARTICIPATING ORGANIZATION TO INFLUENCE AN ELECTION IN THE STATE DURING THE 1-YEAR PERIOD THAT IMMEDIATELY PRECEDES THE DATE OF THE REPORT; OR

(2) IF THE PARTICIPATING ORGANIZATION MADE A FILING WITH THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION WITHIN 6 MONTHS OF THE DATE WHEN A REPORT OTHERWISE WOULD BE REQUIRED, DESCRIBE HOW THE PUBLIC MAY ACCESS VIA THE INTERNET THE PARTICIPATING ORGANIZATION’S REPORTS THAT DETAIL DISBURSEMENTS MADE AND DONATIONS RECEIVED.”.

AMENDMENT NO. 7

On page 46, in lines 25 and 29, strike “3.” and “4.”, respectively, and substitute “4.” and “6.”, respectively; after line 28, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.”;

in line 29, after “That” insert “Sections 1, 2, and 4 of”; and after line 30, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect October 1, 2013.”.

The preceding 7 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB1039/253425/1

BY: Senator Simonaire

AMENDMENT TO SENATE BILL 1039
(First Reading File Bill)

On page 13, in line 1, after “**(2)**” insert “**(1)**”; and before line 5, insert:

“(II) THE CUMULATIVE LIMIT ON TRANSFERS TO THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A MEMBER OF A SLATE APPLIES REGARDLESS OF THE NUMBER OF SLATES OF WHICH THE CANDIDATE IS A MEMBER.”

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 13 Negative – 30 (See Roll Call No. 882)

FLOOR AMENDMENT

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 16 Negative – 25 (See Roll Call No. 883)

The preceding Amendment was incorrectly drawn.

FLOOR AMENDMENT

SB1039/513723/1

BY: Senator Pinsky

AMENDMENT TO SENATE BILL 1039

(First Reading File Bill)

On page 10, in line 11, strike “\$24,000” and substitute “\$15,000”.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 8 Negative – 36 (See Roll Call No. 884)

Read the second time and ordered prepared for Third Reading.

House Bill 1499 – The Speaker (By Request – Commission to Study Campaign Finance Law) and Delegates Cardin, George, and Summers

AN ACT concerning

Campaign Finance Reform Act of 2013

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (8) AND THE FAVORABLE REPORT.

HB1499/744738/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1499

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, in line 18, after “contributions” insert “under certain circumstances; providing an exception”; in line 21, after “time;” insert “requiring certain participating organizations, as defined, making certain contributions or donations or certain disbursements to register with the State Board and file a certain report under certain circumstances; altering the deadline date for certain candidates to file a certificate of candidacy; altering the date by which the State Board shall certify the content and arrangement of a certain ballot;”; in line 32, after “date” insert “for certain provisions of this Act”; in line 35, after “2–102,” insert “5–303, 9–207(a).”; and in line 43, after “13–309.1,” insert “13–309.2.”.

AMENDMENT NO. 2

On pages 4 and 5, strike the lines beginning with line 32 on page 4 through line 9 on page 5, inclusive.

On page 6, strike in their entirety lines 25 through 32, inclusive.

On pages 7 and 8, strike the lines beginning with line 33 on page 7 through line 5 on page 8, inclusive.

On pages 9 and 10, strike the lines beginning with line 13 on page 9 through line 1 on page 10, inclusive.

On pages 14 through 16, strike the lines beginning with line 31 on page 14 through line 23 on page 16, inclusive.

On pages 32 and 33, strike the lines beginning with line 6 on page 32 through line 19 on page 33, inclusive.

On pages 37 through 42, strike the lines beginning with line 21 on page 37 through line 2 on page 42, inclusive.

On page 49, after line 20, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

1–101.

(BB-1) “LEGISLATIVE PARTY CAUCUS COMMITTEE” MEANS A POLITICAL COMMITTEE THAT IS ESTABLISHED TO PROMOTE THE ELECTION OF CANDIDATES OF A SINGLE POLITICAL PARTY TO ONE OF THE TWO HOUSES OF THE GENERAL ASSEMBLY.

(ff) “Political action committee” means a political committee that is not:

(1) a political party;

(2) a central committee;

(3) a slate;

(4) A LEGISLATIVE PARTY CAUCUS COMMITTEE;

[(4)] (5) [a political committee organized and operated solely to support or oppose a single candidate] AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE; or

[(5)] (6) [a political committee organized and operated solely to support or oppose] a ballot issue COMMITTEE.

5–303.

(a) Except as provided in subsections (b) and (c) of this section:

(1) in the year in which the Governor is elected, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday [following the second Tuesday in April in the year in] THAT IS 24 WEEKS BEFORE THE DAY ON which the primary election will be held; and

(2) for any other regularly scheduled election, a certificate of candidacy shall be filed not later than 9 p.m. on the Wednesday that is 83 days before the day on which the primary election will be held.

(b) A certificate of candidacy for an office to be filled by a special election under this article shall be received and filed in the office of the appropriate board not later than 5 p.m. on the Monday that is 3 weeks or 21 days prior to the date for the special primary election specified by the Governor in the proclamation for the special primary election.

(c) The certificate of candidacy for the election of a write-in candidate shall be filed by the earlier of:

(1) 7 days after a total expenditure of at least \$51 is made to promote the candidacy by a campaign finance entity of the candidate; or

(2) 5 p.m. on the Wednesday preceding the day of the election for which the certificate is filed.

9-207.

(a) The State Board shall certify the content and arrangement of each ballot:

(1) for a primary election, no more than 11 days after the filing date provided in § 5-303 of this article;

(2) for a general election[:

(i) in the year that the President of the United States is elected], at least 55 days before the election[; and

(ii) in any other year, not more than 18 days after the primary election];

(3) for a special primary election, at least 18 days before the election; and

(4) for a special general election, not later than a date specified in the Governor's proclamation.

13-202.

(a) Unless otherwise expressly authorized by law, all campaign finance activity for an election under this article shall be conducted through a campaign finance entity.

(b) An individual may not file a certificate of candidacy OR A DECLARATION OF INTENT UNDER § 5-703 OR § 5-703.1 OF THIS ARTICLE until the individual establishes, or causes to be established, an authorized [political] CANDIDATE CAMPAIGN committee.

13-208.1.

(A) EACH POLITICAL PARTY MAY ESTABLISH ONE LEGISLATIVE PARTY CAUCUS COMMITTEE FOR EACH HOUSE OF THE GENERAL ASSEMBLY.

(B) THE STATE BOARD SHALL ADOPT REGULATIONS GOVERNING THE ESTABLISHMENT, STRUCTURE, AND OPERATION OF LEGISLATIVE PARTY CAUCUS COMMITTEES.

13-220.1.

(A) EACH CENTRAL COMMITTEE OF A POLITICAL PARTY OR LEGISLATIVE PARTY CAUCUS COMMITTEE MAY ESTABLISH ONE ADMINISTRATIVE ACCOUNT.

(B) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT MAY BE MADE ONLY FOR NONELECTORAL PURPOSES.

(C) A DONATION TO AN ADMINISTRATIVE ACCOUNT:

(1) MAY BE MADE ONLY IF THE DONOR IS AWARE THAT THE DONATION WILL BE USED FOR NONELECTORAL PURPOSES AND CONSENTS TO THAT USE BEFORE MAKING THE DONATION; AND

(2) IS NOT SUBJECT TO § 13-226(B) OF THIS SUBTITLE.

(D) A CAMPAIGN FINANCE ENTITY MAY NOT MAKE A TRANSFER TO AN ADMINISTRATIVE ACCOUNT.

(E) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:

(1) DEFINE PERMISSIBLE NONELECTORAL DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT; AND

(2) REQUIRE DISCLOSURE OF:

(I) DONATIONS TO AN ADMINISTRATIVE ACCOUNT; AND

(II) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT.

13-234.

(a) A contribution of money may be made only by:

(1) check;

(2) credit card;

(3) cash, if the contribution does not exceed \$100 IN AN ELECTION CYCLE; or

(4) an electronic method that the State Board authorizes by regulation.

(b) An electronic method of making a contribution that the State Board authorizes under this section shall ensure that:

(1) the identity of the person making the contribution may be verified;

(2) the transaction is secure; and

(3) there is an adequate record of the transaction.

13-235.

(a) This section applies to the following officials:

- (1) the Governor;
- (2) the Lieutenant Governor;
- (3) the Attorney General;
- (4) the Comptroller; and
- (5) a member of the General Assembly.

(b) Except as provided in subsection (c) [or], (d), OR (E) of this section, during a regular session of the General Assembly an official described in subsection (a) of this section, or a person acting on behalf of the official, may not, as to a candidate for federal, State, or local office, or a campaign finance entity of the candidate or any other campaign finance entity organized under this title and operated in coordination with a candidate:

- (1) receive a contribution;
- (2) conduct a fund-raising event;
- (3) solicit or sell a ticket to a fund-raising event; or
- (4) deposit or use any contribution of money that was not deposited prior to the session.

(c) An official described in subsection (a) of this section, or a person acting on behalf of the official, is not subject to this section when engaged in activities solely related to the official's election to an elective federal or local office for which the official is a filed candidate.

(d) Under the Public Financing Act, a gubernatorial ticket, during the year of the election only, may accept eligible private contributions and any disbursement of funds by the State Board that is based on the eligible private contributions.

(E) AN OFFICIAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION, OR A PERSON ACTING ON BEHALF OF THE OFFICIAL, MAY DEPOSIT A CONTRIBUTION DURING THE LEGISLATIVE SESSION IF THE CONTRIBUTION WAS MADE ELECTRONICALLY BEFORE THE START OF THE SESSION.

[(e)] (F) (1) As to a violation of this section, the campaign finance entity of the official in violation is liable for a civil penalty as provided in this subsection.

(2) The State Board, represented by the State Prosecutor, may institute a civil action in the circuit court for any county seeking the civil penalty provided in this subsection.

(3) A campaign finance entity that receives a contribution as a result of the violation shall:

(i) refund the contribution to the contributor; and

(ii) pay a civil penalty that equals the sum of \$1,000 plus the amount of the contribution.

13-309.

(a) Subject to other provisions of this subtitle AND EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, a campaign finance entity shall file campaign finance reports as follows:

(1) except for a ballot issue committee, on or before the fourth Tuesday immediately preceding each primary election [except a presidential primary election];

(2) except for a ballot issue committee, on or before the second Friday immediately preceding a primary election;

(3) ON OR BEFORE THE LAST TUESDAY IN AUGUST IMMEDIATELY PRECEDING A GENERAL ELECTION;

[(3)] (4) for a ballot issue committee only, on or before the fourth Friday immediately preceding a general election;

[(4)] (5) on or before the second Friday immediately preceding a general election; and

[(5)] (6) on or before the third Tuesday after a general election.

(b) (1) A campaign finance entity is subject to subsection (a) of this section and this subsection only as to the election in which the entity designates that it will participate.

(2) In addition to the campaign finance reports required under subsection (a) of this section, but subject to paragraph (4) of this subsection, a campaign finance entity shall file A campaign finance [reports] **REPORT** on the third Wednesday in January.

(3) (i) If subsequent to the filing of its declaration under § 13-208(c)(3) of this title, a campaign finance entity participates in an election in which it was not designated to participate, the campaign finance entity shall file all campaign **FINANCE** reports prescribed under subsection (a) of this section for that election.

(ii) A violation of subparagraph (i) of this paragraph constitutes a failure to file by the campaign finance entity, and the responsible officer is guilty of a misdemeanor and on conviction is subject to the penalties prescribed under Part VII of this subtitle.

(4) If a campaign finance entity has neither a cash balance nor an outstanding obligation at the end of a reporting period, a campaign finance report for that period, clearly marked as “final”, shall be filed on or before the due date, and no further report is required.

(c) In addition to the campaign **FINANCE** reports required under subsection (a) of this section, a continuing political committee shall file a campaign finance report on the third Wednesday in January of each year the committee is in existence.

(D) AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE FOR ELECTION TO THE CENTRAL COMMITTEE OF A POLITICAL PARTY:

(1) SHALL FILE A CAMPAIGN FINANCE REPORT ON OR BEFORE THE THIRD TUESDAY AFTER A GUBERNATORIAL PRIMARY ELECTION; AND

(2) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION AND § 13-310 OF THIS SUBTITLE, IS NOT REQUIRED TO FILE ANY OTHER CAMPAIGN FINANCE REPORTS.

13-604.1.

(A) IN THIS SECTION, “PERSON” INCLUDES A POLITICAL COMMITTEE.

(B) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY IN ACCORDANCE WITH THIS SECTION FOR THE FOLLOWING VIOLATIONS:

(1) MAKING A DISBURSEMENT IN A MANNER NOT AUTHORIZED IN § 13-218(B)(2), (C), AND (D) OF THIS TITLE;

(2) FAILURE TO MAINTAIN A CAMPAIGN BANK ACCOUNT AS REQUIRED IN § 13-220(A) OF THIS TITLE;

(3) MAKING A DISBURSEMENT BY A METHOD NOT AUTHORIZED IN § 13-220(D) OF THIS TITLE;

(4) FAILURE TO MAINTAIN DETAILED AND ACCURATE ACCOUNT BOOKS AND RECORDS AS REQUIRED IN § 13-221 OF THIS TITLE;

(5) FAILURE TO REPORT ALL CONTRIBUTIONS RECEIVED AND EXPENDITURES MADE AS REQUIRED IN § 13-304(B) OF THIS TITLE;

(6) FAILURE TO INCLUDE AN AUTHORITY LINE ON CAMPAIGN MATERIAL AS REQUIRED IN § 13-401 OF THIS TITLE; OR

(7) FAILURE TO RETAIN A COPY OF CAMPAIGN MATERIAL AS REQUIRED IN § 13-403 OF THIS TITLE.

(C) A CIVIL PENALTY IMPOSED UNDER THIS SECTION FOR A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION IS IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW.

(D) THE AMOUNT OF A CIVIL PENALTY IMPOSED UNDER THIS SECTION MAY NOT EXCEED \$500 FOR EACH VIOLATION.

(E) THE CIVIL PENALTY IS PAYABLE TO THE STATE BOARD BY THE PERSON CHARGED IN A CITATION WITHIN 20 CALENDAR DAYS AFTER SERVICE OF THE CITATION.

(F) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A CIVIL PENALTY IMPOSED UNDER THIS SECTION SHALL BE PAID BY THE CAMPAIGN FINANCE ENTITY.

(2) IF THE CAMPAIGN FINANCE ENTITY HAS INSUFFICIENT FUNDS WITH WHICH TO PAY THE FULL AMOUNT OF THE CIVIL PENALTY IN A TIMELY MANNER, AFTER THE CAMPAIGN ACCOUNT OF THE FINANCE ENTITY IS EXHAUSTED THE BALANCE OF THE CIVIL PENALTY IS THE JOINT AND SEVERAL LIABILITY OF THE RESPONSIBLE OFFICERS.

(3) IF A VIOLATION IS COMMITTED BY A PERSON NOT ACTING ON BEHALF OF, OR AT THE REQUEST OR SUGGESTION OF, A CANDIDATE OR A CAMPAIGN FINANCE ENTITY, THE CIVIL PENALTY SHALL BE PAID BY THE PERSON WHO COMMITTED THE VIOLATION.

(G) THE STATE BOARD MAY ISSUE A CITATION TO ANY PERSON THE STATE BOARD BELIEVES IS COMMITTING OR HAS COMMITTED A VIOLATION SPECIFIED IN SUBSECTION (B) OF THIS SECTION.

(H) THE CITATION SHALL BE SERVED ON THE DEFENDANT IN ACCORDANCE WITH THE MARYLAND RULES.

(I) THE CITATION SHALL CONTAIN:

(1) THE CERTIFICATION BY THE STATE BOARD ATTESTING TO THE TRUTH OF THE MATTER SET FORTH IN THE CITATION;

- (2) THE NAME AND ADDRESS OF THE PERSON CHARGED;
- (3) THE NATURE, TIME, AND PLACE OF THE VIOLATION;
- (4) THE MANNER IN WHICH THE VIOLATION OCCURRED;
- (5) THE AMOUNT OF THE PENALTY ASSESSED;
- (6) THE MANNER, TIME, AND LOCATION TO PAY THE PENALTY;
- (7) A STATEMENT THAT THE PERSON RECEIVING THE CITATION HAS A RIGHT TO TRIAL IN THE DISTRICT COURT; AND
- (8) THE EFFECT OF FAILING TO PAY THE ASSESSED FINE OR OF FAILING TO DEMAND A TRIAL WITHIN THE PRESCRIBED TIME.
- (J) (1) A PERSON CHARGED IN A CITATION MAY ELECT TO STAND TRIAL FOR THE VIOLATION BY NOTIFYING THE STATE BOARD IN WRITING OF THE PERSON'S INTENT TO STAND TRIAL.
- (2) THE WRITTEN NOTICE SHALL BE GIVEN AT LEAST 5 DAYS BEFORE THE DATE OF PAYMENT AS SET FORTH IN THE CITATION.
- (K) (1) ON RECEIPT OF THE WRITTEN NOTICE OF INTENT TO STAND TRIAL, THE STATE BOARD SHALL FORWARD TO THE STATE PROSECUTOR A COPY OF THE CITATION AND THE WRITTEN NOTICE.
- (2) THE STATE PROSECUTOR SHALL FORWARD TO THE DISTRICT COURT HAVING VENUE A COPY OF THE CITATION AND THE WRITTEN NOTICE.
- (3) ON RECEIPT OF THE CITATION AND THE WRITTEN NOTICE:
- (I) THE STATE PROSECUTOR SHALL ASSUME RESPONSIBILITY FOR PROSECUTING THE VIOLATION; AND

(II) THE DISTRICT COURT SHALL SCHEDULE THE CASE FOR TRIAL, NOTIFY THE DEFENDANT OF THE TRIAL DATE, AND SUMMON THE DEFENDANT TO APPEAR.

(L) (1) IF A PERSON CHARGED IN A CITATION FAILS TO PAY THE PENALTY BY THE DATE OF PAYMENT SET FORTH IN THE CITATION AND FAILS TO DELIVER TO THE STATE BOARD THE WRITTEN NOTICE OF INTENT TO STAND TRIAL, THE PERSON IS LIABLE FOR THE ASSESSED PENALTY.

(2) THE STATE PROSECUTOR, ON BEHALF OF THE STATE BOARD, MAY DOUBLE THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000 AND REQUEST ADJUDICATION OF THE CASE THROUGH THE DISTRICT COURT BY FILING A DEMAND FOR JUDGMENT ON AFFIDAVIT.

(M) THE DEFENDANT'S FAILURE TO RESPOND TO THE SUMMONS OF THE DISTRICT COURT SHALL RESULT IN THE ENTRY OF JUDGMENT AGAINST THE DEFENDANT IN FAVOR OF THE STATE BOARD IN THE AMOUNT SET FORTH IN THE CITATION IF A PROPER DEMAND FOR JUDGMENT ON AFFIDAVIT HAS BEEN MADE.

(N) IF A PERSON IS FOUND BY THE DISTRICT COURT TO HAVE COMMITTED A VIOLATION:

(1) (I) THE DISTRICT COURT SHALL ORDER THE PERSON TO PAY THE PENALTY SET FORTH IN THE CITATION AND MAY DOUBLE THE AMOUNT OF THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000;

(II) THE PENALTY IMPOSED SHALL CONSTITUTE A JUDGMENT IN FAVOR OF THE STATE BOARD; AND

(III) IF THE PENALTY REMAINS UNPAID FOR 30 DAYS FOLLOWING THE DATE OF ITS ENTRY, THE JUDGMENT SHALL BE ENFORCEABLE IN THE SAME MANNER AND TO THE SAME EXTENT AS OTHER CIVIL JUDGMENTS FOR MONEY UNLESS THE COURT HAS SUSPENDED OR DEFERRED PAYMENT OF THE PENALTY AS PROVIDED IN ITEM (2) OF THIS SUBSECTION;

(2) THE DISTRICT COURT MAY SUSPEND OR DEFER THE PAYMENT OF ANY PENALTY UNDER CONDITIONS THAT THE COURT SETS;

(3) THE DEFENDANT SHALL BE LIABLE FOR THE COSTS OF THE PROCEEDINGS IN THE DISTRICT COURT; AND

(4) THE DISTRICT COURT MAY ORDER THE PERSON TO ABATE THE VIOLATION.

(O) IF A DEFENDANT FAILS TO PAY ANY PENALTY OR COST IMPOSED BY THE DISTRICT COURT WITHOUT GOOD CAUSE, THE DISTRICT COURT MAY PUNISH THE FAILURE AS CONTEMPT OF COURT.

(P) ADJUDICATION OF A VIOLATION UNDER THIS SECTION:

(1) IS NOT A CRIMINAL CONVICTION; AND

(2) DOES NOT IMPOSE ANY OF THE CIVIL DISABILITIES THAT ARISE FROM A CRIMINAL CONVICTION.

(Q) IN A DISTRICT COURT PROCEEDING RELATING TO A VIOLATION UNDER THIS SECTION:

(1) THE STATE PROSECUTOR HAS THE BURDEN TO PROVE THAT THE DEFENDANT HAS COMMITTED THE VIOLATION BY CLEAR AND CONVINCING EVIDENCE;

(2) THE DISTRICT COURT SHALL APPLY THE EVIDENTIARY STANDARDS AS PROVIDED BY LAW OR RULE FOR THE TRIAL OF CIVIL CAUSES;

(3) THE DISTRICT COURT SHALL ENSURE THAT THE DEFENDANT HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT THE DEFENDANT UNDERSTANDS THOSE CHARGES;

(4) THE DEFENDANT MAY CROSS-EXAMINE ALL WITNESSES WHO APPEAR AGAINST THE DEFENDANT, PRODUCE EVIDENCE OR WITNESSES IN THE DEFENDANT'S OWN BEHALF, OR TESTIFY IN THE DEFENDANT'S OWN BEHALF;

(5) THE DEFENDANT SHALL BE ENTITLED TO BE REPRESENTED BY COUNSEL OF THE DEFENDANT'S OWN SELECTION AND AT THE DEFENDANT'S OWN EXPENSE;

(6) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT GUILTY OF THE VIOLATION AS CHARGED; AND

(7) THE VERDICT OF THE DISTRICT COURT SHALL BE GUILTY OF A VIOLATION OR NOT GUILTY OF A VIOLATION, OR THE DISTRICT COURT MAY, BEFORE RENDERING JUDGMENT, PLACE THE DEFENDANT ON PROBATION.

(R) THE STATE BOARD SHALL CONSIDER THE FOLLOWING IN DETERMINING THE AMOUNT OF A PENALTY UNDER THIS SECTION:

(1) THE SEVERITY OF THE VIOLATION FOR WHICH THE PENALTY IS TO BE ASSESSED;

(2) THE GOOD FAITH OF THE VIOLATOR; AND

(3) ANY HISTORY OF PRIOR VIOLATIONS.

(S) PENALTIES COLLECTED UNDER THIS SECTION SHALL BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE.”.

AMENDMENT NO. 3

On pages 11 and 12, strike in their entirety the lines beginning with line 12 on page 11 down through line 16 on page 12, inclusive.

On page 12, in line 17, strike the brackets; in the same line, strike “**(E)**”; and in line 20, strike “**(F)**” and substitute “**(E)**”.

On page 18, in line 30, strike “**ORGANIZED**” and substitute “**REGISTERED AND FILES THE REPORTS**”.

On page 19, in line 26, strike “**AN AUTHORIZED CANDIDATE CAMPAIGN**” and substitute “**A POLITICAL**”.

AMENDMENT NO. 4

On page 22, strike in their entirety lines 24 through 27, inclusive, and substitute:

“2. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13–243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”.

On page 24, in line 33, strike “IN” and substitute “**(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN**”.

On page 25, in lines 4 and 7, strike “(I)” and “(II)”, respectively, and substitute “**1.**” and “**2.**”, respectively; and after line 9, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN INDEPENDENT EXPENDITURE REPORT OR AN AMENDED INDEPENDENT EXPENDITURE REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. \$100 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

On page 27, strike in their entirety lines 24 through 27, inclusive, and substitute:

“4. AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND

EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13-243 OF THIS TITLE, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR”.

On page 30, in line 23, strike “IN” and substitute “(I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN”; in lines 28 and 31, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; and after line 33, insert:

“(II) IF THE FAILURE TO FILE PROPERLY AN ELECTIONEERING COMMUNICATION REPORT OR AN AMENDED ELECTIONEERING COMMUNICATION REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE STATE BOARD MAY ASSESS A CIVIL PENALTY IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

1. \$100 FOR EACH DAY OR PART OF A DAY THAT AN ELECTIONEERING COMMUNICATION REPORT OR AMENDED ELECTIONEERING COMMUNICATION REPORT IS OVERDUE; OR

2. 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS THAT WERE NOT REPORTED IN A TIMELY MANNER.”.

AMENDMENT NO. 5

On page 33, in lines 23 and 27, in each instance, after “POLITICAL” insert “ACTION”; in lines 23 and 24, strike “IF THE EXPENDITURES OF THE POLITICAL COMMITTEE ARE EXCLUSIVELY” and substitute “THAT EXCLUSIVELY MAKES”; in line 30, after “(D)” insert “(1)”; in the same line, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and after line 32, insert:

“(2) THE POLITICAL ACTION COMMITTEE SHALL INCLUDE ALL OF THE INFORMATION REPORTED ON A DISCLOSURE REPORT ON ITS REGULARLY FILED CAMPAIGN FINANCE REPORTS.”.

On page 34, strike in their entirety lines 1 through 10, inclusive, and substitute:

“(E) A POLITICAL ACTION COMMITTEE SHALL FILE A DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR MORE ON CAMPAIGN MATERIAL DURING THE REPORTING PERIOD COVERED BY ITS NEXT CAMPAIGN FINANCE REPORT.

“(F) A POLITICAL ACTION COMMITTEE SHALL FILE AN ADDITIONAL DISCLOSURE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL ACTION COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR MORE ON CAMPAIGN MATERIAL FOLLOWING THE CLOSING DATE OF THE IMMEDIATELY PRECEDING DISCLOSURE REPORT FILED BY THE POLITICAL ACTION COMMITTEE.”;

in lines 13, 21, and 22, in each instance, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”; and in lines 16 and 17, strike “CAMPAIGN FINANCE” and substitute “DISCLOSURE”.

On page 36, in line 12, after “(A)” insert “(1)”; and after line 15, insert:

“(2) WHEN ESTABLISHING A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR ELECTIVE OFFICES IN THE EXECUTIVE OR LEGISLATIVE BRANCHES OF COUNTY GOVERNMENT, THE GOVERNING BODY OF A COUNTY SHALL SPECIFY THE CRITERIA THAT IS TO BE USED TO DETERMINE WHETHER AN INDIVIDUAL IS ELIGIBLE FOR PUBLIC CAMPAIGN FINANCING.”.

AMENDMENT NO. 6

On page 34, after line 28, insert:

“13-309.2.

(A) IN THIS SECTION, “PARTICIPATING ORGANIZATION” MEANS ANY ENTITY THAT IS ORGANIZED UNDER § 501(C)(4) OR (6) OR § 527 OF THE INTERNAL REVENUE CODE AND MAKES:

(1) A CONTRIBUTION TO A CAMPAIGN FINANCE ENTITY FOR THE EXPRESS PURPOSE OF CAUSING THE CAMPAIGN FINANCE ENTITY TO MAKE A DISBURSEMENT IN THE STATE;

(2) A DONATION TO A PERSON FOR THE EXPRESS PURPOSE OF CAUSING THE PERSON TO MAKE AN INDEPENDENT EXPENDITURE OR A DISBURSEMENT FOR ELECTIONEERING COMMUNICATIONS IN THE STATE; OR

(3) A DONATION TO AN OUT-OF-STATE POLITICAL COMMITTEE FOR THE EXPRESS PURPOSE OF CAUSING THE POLITICAL COMMITTEE TO MAKE A DISBURSEMENT IN THE STATE.

(B) WITHIN 48 HOURS AFTER A PARTICIPATING ORGANIZATION MAKES A CONTRIBUTION, DONATION, OR DISBURSEMENT OF \$6,000 OR MORE IN AN ELECTION CYCLE THE PARTICIPATING ORGANIZATION SHALL FILE A REGISTRATION FORM WITH THE STATE BOARD.

(C) A PARTICIPATING ORGANIZATION SHALL FILE A REPORT WITH THE STATE BOARD IN THE YEAR OF THE ELECTION FOR WHICH IT IS PARTICIPATING FOR THE PERIODS AND ON OR BEFORE THE DATES THAT A CAMPAIGN FINANCE ENTITY FOR A CANDIDATE IS REQUIRED TO FILE A CAMPAIGN FINANCE REPORT UNDER THIS SUBTITLE.

(D) THE REPORT SHALL INCLUDE ALL DISBURSEMENTS MADE TO INFLUENCE AN ELECTION IN THE STATE AND EITHER:

(1) THE NAME, ADDRESS, AND OCCUPATION, IF ANY, OF THE FIVE DONORS WHO GAVE THE LARGEST AMOUNT OF MONEY TO THE PARTICIPATING ORGANIZATION TO INFLUENCE AN ELECTION IN THE STATE DURING THE 1 YEAR PERIOD THAT IMMEDIATELY PRECEDES THE DATE OF THE REPORT; OR

(2) IF THE PARTICIPATING ORGANIZATION MADE A FILING WITH THE STATE BOARD UNDER SUBSECTION (B) OF THIS SECTION WITHIN 6 MONTHS OF THE DATE WHEN A REPORT OTHERWISE WOULD BE REQUIRED, DESCRIBE HOW THE PUBLIC MAY ACCESS VIA THE INTERNET THE PARTICIPATING ORGANIZATION'S REPORTS THAT DETAIL DISBURSEMENTS MADE AND DONATIONS RECEIVED."

On page 47, in line 31, strike “A” and substitute “EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A”.

On page 48, in line 1, strike “REQUIRE” and substitute “: (I) REQUIRE”; in line 2, after “TITLE” insert “; AND”; in line 3, strike the period; in line 4, strike “(2) A GOVERNMENTAL ENTITY SHALL” and substitute “(II)”; in line 5, strike “OF THE NAMES AND CONTACT INFORMATION OF PERSONS” and substitute “IF A PERSON”; in lines 6 and 7, strike “WHO ARE REQUIRED” and substitute “FAILS”; strike beginning with “WITHIN” in line 8 down through “ENTITY” in line 9; and after line 9, insert:

“(2) THIS SUBSECTION DOES NOT APPLY TO A CONTRACT FOR WHICH NOTICE OF AWARD HAS BEEN POSTED ON eMARYLAND MARKETPLACE.”.

AMENDMENT NO. 8

On page 49, in lines 21, 25, and 31, strike “3.”, “4.”, and “5.”, respectively, and substitute “4.”, “5.”, and “6.”, respectively; in line 29, strike the second comma; in line 31, after “That” insert “Sections 1, 2, and 4 of”; and after line 32, insert:

“SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect October 1, 2013.”.

The preceding 8 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 1010 – Senators Brinkley, Forehand, Kelley, King, Kittleman, Klausmeier, Madaleno, Middleton, Pipkin, and Pugh

AN ACT concerning

Children with Developmental Disabilities in State Custody – Continuation of Placement and Services

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB1010/697379/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1010

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 21 down through “circumstances;” in line 23; and in line 24, after “notice” insert “and subject to a certain limitation”.

AMENDMENT NO. 2

On page 10, in line 14, strike “(1)”; strike in their entirety lines 20 through 24, inclusive; and in line 29, after “ADMINISTRATION” insert “, SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET,”.

The preceding 2 committee amendments were withdrawn.

Favorable report adopted.

FLOOR AMENDMENT

SB1010/113424/2

BY: Senator Brinkley

AMENDMENTS TO SENATE BILL 1010

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after the third “the” insert “content,”; in line 8, after “implementation” insert a comma; strike beginning with “maintains” in line 18 down through “child” in line 19 and substitute “a certain level of services”; strike beginning with “prohibiting” in line 21 down through “circumstances;” in line 23; and strike beginning with “maintains” in line 26 down through “child” in line 27 and substitute “a certain level of services”.

AMENDMENT NO. 2

On page 4, in line 20, after the second “THE” insert “CONTENT,”; and in line 21, after “IMPLEMENTATION” insert a comma.

On page 6, in line 13, after the first “THE” insert “CONTENT,”; and in the same line, after “IMPLEMENTATION” insert a comma.

On page 8, strike beginning with “MAINTAINS” in line 3 down through “DEPARTMENT” in line 6 and substitute “ENSURES AN APPROPRIATE LEVEL OF SERVICES THAT MEET THE NEEDS OF THE CHILD”.

On page 10, in line 14, strike “(1)”; and strike in their entirety lines 20 through 24, inclusive.

On page 11, strike beginning with “MAINTAINS” in line 5 down through “DEPARTMENT” in line 8 and substitute “ENSURES AN APPROPRIATE LEVEL OF SERVICES THAT MEET THE NEEDS OF THE CHILD”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

**House Bill 97 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

**Environment – Sediment Control and Stormwater Management Plans –
Authority**

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.

House Bill 1079 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Salary of Part-Time Liquor
Inspectors
PG 316-13**

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 EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #44**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 108 – Delegate Lafferty

AN ACT concerning

**Housing and Community Development – Neighborhood and Community
Assistance Program – Project Proposals**

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:

**House Bill 636 – Montgomery County Delegation and Prince George’s County
Delegation**

AN ACT concerning

**Washington Suburban Sanitary District – System Development Charge –
Exemptions
MC/PG 103–13**

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:

**House Bill 638 – Montgomery County Delegation and Prince George’s County
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Minority Business Enterprise
Programs – ~~Annual Report~~ and Task Force Extension
MC/PG 107–13**

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:

House Bill 640 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Sewage Leaks – Notice
Requirements
MC/PG 115–13**

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:

House Bill 641 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Drinking Water ~~and~~
~~Wastewater Effluent~~ – Testing
MC/PG 113–13**

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:

House Bill 757 – Delegate Holmes

AN ACT concerning

**Procurement – Minority Business Enterprises – Reporting of Architectural
Services and Engineering Services Contracts**

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:

House Bill 957 – Delegates Rosenberg ~~and Carr~~, Carr, Healey, and Glenn

AN ACT concerning

Housing – ~~Elderly~~ – Accessible Housing for Senior Homeowners Programs, Older Adults, and Individuals with Disabilities

HB0957/164737/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 957

(Third Reading File Bill)

On page 11, in line 33, after “Development,” insert “the Maryland Department of Disabilities.”

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 BUDGET AND TAXATION REPORT #21

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 328 – Delegates Feldman, Afzali, Aumann, Barkley, Barve, Boteler, Dumais, George, Impallaria, A. Kelly, Lee, and Luedtke

AN ACT concerning

Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition

HB0328/509437/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 328

(Third Reading File Bill)

On page 3, in line 2, strike “AN” and substitute “A QUALIFIED”; and in line 3, strike “BY A QUALIFIED INVESTOR WHO RECEIVED A CREDIT”.

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 with amendments:

House Bill 372 – Delegates Barve, Branch, Cardin, Dwyer, Feldman, Fisher, Frick, George, Gilchrist, Hixson, Holmes, Ivey, Kaiser, Luedtke, A. Miller, Mitchell, Rosenberg, Serafini, Simmons, ~~and F. Turner~~ F. Turner, Walker, and A. Washington

AN ACT concerning

Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

HB0372/439438/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 372

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “Act;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, strike beginning with “**PARTNERSHIP**” in line 4 down through “**PARTNERSHIP,**” in line 5; in line 5, strike the second comma; in line 6, strike “**PARTNER,**”; in the same line, strike the second comma; strike beginning with

“PARTNERSHIP” in line 8 down through the first “INTEREST,” in line 9; and in line 9, strike the second comma.

AMENDMENT NO. 3

On page 3, in line 15, after “2013.” insert “It shall remain effective for a period of 5 years and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 3 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:

House Bill 450 – Howard County Delegation

AN ACT concerning

**Howard County – Property Tax Credit – Renovated, Upgraded, or
Rehabilitated Property
Ho. Co. 11-13**

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:

House Bill 494 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

**State Retirement and Pension System – Employment of Retirees – Required
Break in Service**

HB0494/489334/1

BY: Budget and Taxation Committee

On page 3, strike beginning with “BY” in line 4 down through “BASIS” in line 6; in line 7, after “retired” insert “, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:”

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER”.

On page 5, strike beginning with “BY” in line 24 down through “BASIS” in line 26; in line 27, after “retired” insert “, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:”

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER”.

On page 8, strike beginning with “BY” in line 25 down through “BASIS” in line 27; in line 28, after “retired” insert “, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:”

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER”.

On page 9, strike beginning with “BY” in line 16 down through “BASIS” in line 18; in line 19, after “retired” insert “, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:”

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER”.

On page 11, strike beginning with “BY” in line 3 down through “BASIS” in line 5; in line 5, after “RETIRED” insert “, ON A PERMANENT, TEMPORARY, OR CONTRACTUAL BASIS, BY:”

(1) THE STATE OR OTHER PARTICIPATING EMPLOYER; OR

(2) A WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT, IF THE RETIREE WAS AN EMPLOYEE OF THE WITHDRAWN PARTICIPATING GOVERNMENTAL UNIT WHILE THE WITHDRAWN GOVERNMENTAL UNIT WAS A PARTICIPATING EMPLOYER”.

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 with amendments:

House Bill 495 – Delegate Griffith (Chair, Joint Committee on Pensions)

AN ACT concerning

State Retirement and Pension System – Unused Sick Leave Calculation – Clarification

HB0495/479732/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 495

(Third Reading File Bill)

On page 2, in line 19, strike “paragraph” and substitute “PARAGRAPHS (2) AND”; in line 21, after “(2)” insert “(I)”; and in the same line, strike “If” and substitute “IF A MEMBER HAS AT LEAST 11 DAYS BUT LESS THAN 22 DAYS OF UNUSED SICK LEAVE, THE MEMBER IS ENTITLED TO RECEIVE 1 MONTH OF CREDITABLE SERVICE.”

(II) IF A MEMBER HAS AT LEAST 22 DAYS OF UNUSED SICK LEAVE, AND IF”.

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:

House Bill 551 – Washington County Delegation

AN ACT concerning

Washington County – Technology–Related Businesses – Payment in Lieu of Taxes Agreements

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:

House Bill 675 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Property Tax Credit for Qualified Enterprise Zone Property – Burtonsville
MC 14–13**

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:

House Bill 677 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Property Tax Credit for Qualified Enterprise Zone
Property – Glenmont
MC 18-13**

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:

House Bill 791 – Delegates McHale and Malone

AN ACT concerning

Tax Credits – Electric Vehicles – Extensions

HB0791/109331/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 791

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “time;” insert “altering the amount of credit that certain vehicles may claim;”; and in line 12, after “year;” insert “altering a certain definition;”.

AMENDMENT NO. 2

On page 4, in line 29, after “hour;” insert “AND”.

AMENDMENT NO. 3

On page 5, strike beginning with the semicolon in line 8 down through “2014” in line 10; in line 11, after “(b)” insert “THIS SECTION APPLIES ONLY TO A PLUG-IN ELECTRIC DRIVE VEHICLE THAT IS TITLED BY THE TAXPAYER ON OR AFTER OCTOBER 1, 2010, BUT BEFORE JULY 1, 2014.”

(c)”;

in line 13, strike “(c)” and “(e)”, respectively, and substitute “(D)” and “(F)”, respectively; in line 16, strike “\$2,000” and substitute “:

(1) \$600 FOR A VEHICLE WITH A BATTERY CAPACITY OF AT LEAST 4.0 KILOWATT-HOURS BUT NOT MORE THAN 10.0 KILOWATT-HOURS;

(2) \$700 FOR A VEHICLE WITH A BATTERY CAPACITY OF AT LEAST 10.1 KILOWATT-HOURS BUT NOT MORE THAN 15.0 KILOWATT-HOURS; AND

(3) \$1,000 FOR A VEHICLE WITH A BATTERY CAPACITY OF AT LEAST 15.0 KILOWATT-HOURS”;

and in lines 16, 17, 20, and 26, strike “(c)”, “(d)”, “(e)”, and “(f)”, respectively, and substitute “(D)”, “(E)”, “(F)”, and “(G)”, respectively.

The preceding 3 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:

House Bill 1194 – Delegates Impallaria, McDonough, and Szeliga

EMERGENCY BILL

AN ACT concerning

**Baltimore County – Property Tax Credit – Bowerman–Loreley Beach
Community Association, Inc.**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #27

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

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

SB0422/487370/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 422

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “employers” insert “in all jurisdictions of the State”; in line 5, after “employees” insert “a requirement of”; in line 6, after the semicolon insert “exempting certain employees from certain requirements for paying service or representation fees; requiring certain public school employers and certain exclusive bargaining representatives to negotiate whether service or representation fees are applicable to certain employees under certain circumstances; providing for the ratification of certain contracts in certain counties by certain employees after a certain date”; and in line 12, after “negotiations;” insert “making conforming changes; providing for the application of this Act”.

On page 2, in line 1, after “6–407(d)” insert “, (e), and (f)”.

AMENDMENT NO. 2

On page 2, in line 9, strike “**THE**” and substitute “**SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE**”; and in line 11, strike “**REQUIRED**” and substitute “**REQUIREMENT OF A**”.

On page 3, in lines 26 and 28, in each instance, strike the bracket; in line 26, strike “In Montgomery County, an” and substitute “AN”; and in line 29, strike “**(6)**” and substitute “(7)”.

On page 5, after line 23, insert:

“(D) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(E) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(I) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(II) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.

(3) THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE SHALL BE RATIFIED BY A MAJORITY OF VOTES CAST BY THE EMPLOYEES ELIGIBLE TO VOTE UNDER PARAGRAPH (2) OF THIS SUBSECTION.”;

and in line 24, strike “**(D)**” and substitute “(F)”.

AMENDMENT NO. 3

On page 5, in line 33, strike “**THE**” and substitute “SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE”;

On page 6, in lines 21 and 23, strike “**(I)**” and “**(II)**”, respectively, and substitute “(1)” and “(2)”, respectively.

On page 8, after line 7, insert:

“(E) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL FIRST NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(F) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(I) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(II) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.

(3) THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE SHALL BE RATIFIED BY A MAJORITY OF VOTES CAST BY THE EMPLOYEES ELIGIBLE TO VOTE UNDER PARAGRAPH (2) OF THIS SUBSECTION.”;

in line 8, strike “(E)” and substitute “(G)”; after line 12, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to require any further negotiations regarding provisions of applicability to employees based on date of hire that are contained in an implementing agreement that provided for a service or representation fee negotiated prior to July 1, 2013.”;

and in line 13, strike “2.” and substitute “3.”

The preceding 3 amendments were read only.

Senator Reilly moved, duly seconded, to make the Bill and Amendments a Special Order for April 3, 2013.

The motion was adopted.

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

House Bill 99 – ~~Delegate Hubbard~~ Delegates Hubbard and V. Turner

AN ACT concerning

**Public Health – Child Care Products Containing Flame-Retardant Chemicals
~~(TRIS)~~ (TCEP) – Prohibition**

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:

House Bill 126 – Delegate Davis

AN ACT concerning

Consumer Protection – Maryland Consumer Protection Act – Scope and Penalties

HB0126/857275/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 126

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “and” in line 2 down through “Penalties” in line 3; strike beginning with “establishing” in line 7 down through “Act” in line 10 and substitute “making this Act subject to a certain contingency; requiring the Division of Consumer Protection of the Office of the Attorney General to give a certain notice to the Department of Legislative Services under certain circumstances; providing that this Act shall be null and void and of no force and effect under certain circumstances”; strike beginning with “and” in line 11 down through “Act” in line 12; and in line 20, strike beginning with the first comma through “13-411”.

On page 2, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 24 on page 2 through line 15 on page 3, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) This Act is contingent on the appropriation of funds in the State budget for the Division of Consumer Protection of the Office of the Attorney General in an amount the Division determines is sufficient to enable the Division to perform any additional functions resulting from changes made to the Maryland Consumer Protection Act under Section 1 of this Act.

(b) The Division of Consumer Protection shall notify the Department of Legislative Services within 5 days after the Division makes the determination described in subsection (a) of this section.

(c) If notice of the Division of Consumer Protection’s determination is not received by the Department of Legislative Services on or before June 30, 2018, this Act shall be null and void without the necessity of further action by the General Assembly.”.

On page 3, in line 16, strike “2.” and substitute “3.”; and in the same line, after “That” insert “, subject to Section 2 of this Act.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0126/833428/1

BY: Senator Middleton

AMENDMENTS TO HOUSE BILL 126, AS AMENDED

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1 of the bill, in line 7, after “organization;” insert “expanding the definition of “consumer goods” and “consumer services” under the Maryland Consumer Protection Act to include certain goods and services purchased, rented, or leased by a

certain organization for the benefit of members of the organization”; and in line 20, after “13–101(c)” insert “and (d)”.

On page 1 of the Finance Committee Amendments (HB0126/857275/1), in Amendment No. 1, strike beginning with “making” in line 3 down through “circumstances” in line 6.

AMENDMENT NO. 2

On page 2 of the bill, after line 23, insert:

“(d) **(1)** “Consumer credit”, “consumer debts”, “consumer goods”, “consumer realty”, and “consumer services” mean, respectively, credit, debts or obligations, goods, real property, and services which are primarily for personal, household, family, or agricultural purposes.

(2) “CONSUMER GOODS” AND “CONSUMER SERVICES” INCLUDE, RESPECTIVELY, GOODS AND SERVICES WHICH ARE PURCHASED, RENTED, OR LEASED BY A FRATERNAL, RELIGIOUS, CIVIC, PATRIOTIC, EDUCATIONAL, OR CHARITABLE ORGANIZATION FOR THE BENEFIT OF THE MEMBERS OF THE ORGANIZATION.”.

AMENDMENT NO. 3

In the Finance Committee Amendments, strike Amendment No. 2 in its entirety.

On pages 2 and 3 of the bill, strike in their entirety the lines beginning with line 24 on page 2 through line 15 on page 3, inclusive.

The preceding 3 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 136 – Delegate A. Miller

AN ACT concerning

State Personnel – Teleworking – ~~Eligibility~~ Statewide Program and Goals

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:

House Bill 303 – Delegates Nathan–Pulliam, Oaks, Bromwell, Burns, Costa, Cullison, Donoghue, ~~Elliott~~, Haynes, Jones, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Pena–Melnyk, Reznik, Rosenberg, Tarrant, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, and Hubbard

AN ACT concerning

Task Force to Study Point–of–Care Testing for Lead Poisoning

HB0303/207778/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 303

(Third Reading File Bill)

On page 3, in line 6, after “important” insert “relating to point–of–care testing”.

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:

House Bill 312 – Delegates Pena–Melnyk, Afzali, Barkley, Beidle, Bobo, Braveboy, Bromwell, Carr, Carter, Costa, Cullison, Eckardt, Elliott, Frank, Frush, Gaines, George, Glenn, Griffith, Gutierrez, Haddaway–Riccio, Healey, Holmes, Hubbard, Ivey, Jameson, Jones, A. Kelly, Kipke, Krebs, Lee, Luedtke, McComas, A. Miller, Mizeur, Morhaim, Murphy, Nathan–Pulliam, O’Donnell, Oaks, Ready, Reznik, Rosenberg, Schuh, Sophocleus, Summers, Szeliga, Tarrant, V. Turner, Valderrama, Vitale, Walker, and Wilson

AN ACT concerning

Mammograms – Dense Breast Tissue – Notification

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 333 – Delegates Rosenberg and Haynes

AN ACT concerning

Family Investment Program – Couples Advancing Together Pilot Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 537 – Delegates Serafini, Aumann, Frank, George, Hogan, Krebs,
McComas, W. Miller, Myers, Parrott, Smigiel, and Stocksdales**

AN ACT concerning

Insurance Producers – Continuing Education – Online Courses

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 587 – Delegate Davis

AN ACT concerning

**Electric Companies – Service Quality and Reliability Standards – Vegetation
Management**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

**House Bill 665 – Delegates DeBoy, Barkley, Beidle, Frick, Lafferty,
B. Robinson, and Sophocleus**

AN ACT concerning

State Personnel – Law Enforcement Employees – Extra Compensation

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:

House Bill 667 – Delegates Hixson, Arora, Barkley, Barve, Bobo, Cane, Carr, Clagett, Cullison, DeBoy, Feldman, Frick, Gilchrist, Gutierrez, Guzzone, Healey, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer, Lafferty, Luedtke, Malone, McHale, McIntosh, Minnick, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Niemann, Pendergrass, Proctor, Reznik, B. Robinson, Rosenberg, Stein, Stukes, F. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, M. Washington, Weir, and Zucker

AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

HB0667/947372/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 667

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert “exempting certain employees from certain requirements for paying service or representation fees; requiring certain public school employers and certain exclusive bargaining representatives to negotiate whether service or representation fees are applicable to certain employees under certain circumstances; providing for the ratification of certain contracts in certain counties by certain employees after a certain date;”; and in line 13, after “changes;” insert “providing for the application of this Act;”.

On page 2, in line 9, after “6–407(d)” insert “, (e), and (f)”.

AMENDMENT NO. 2

On page 2, in line 17, strike “**THE**” and substitute “**SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE**”.

On page 3, in line 34, strike “In Montgomery County, an” and substitute “AN”.

On page 5, after line 32, insert:

“(D) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(E) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(I) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(II) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.

(3) THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE SHALL BE RATIFIED BY A MAJORITY OF VOTES CAST BY THE EMPLOYEES ELIGIBLE TO VOTE UNDER PARAGRAPH (2) OF THIS SUBSECTION.”;

and in line 33, strike “(D)” and substitute “(F)”.

AMENDMENT NO. 3

On page 6, in line 7, strike “THE” and substitute “SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE”; and in lines 29 and 31, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively.

On page 8, after line 17, insert:

“(E) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL FIRST NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(F) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(I) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(II) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.

(3) THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE SHALL BE RATIFIED BY A MAJORITY OF VOTES CAST BY THE EMPLOYEES ELIGIBLE TO VOTE UNDER PARAGRAPH (2) OF THIS SUBSECTION.”;

in line 18, strike “(E)” and substitute “(G)”;

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to require any further negotiations regarding provisions of applicability to employees based on date of hire that are contained in an implementing agreement that provided for a service or representation fee negotiated before July 1, 2013.”;

and in line 23, strike “2.” and substitute “3.”.

The preceding 3 amendments were read only.

Senator Pugh moved, duly seconded, to make the Bill and Amendments a Special Order for April 3, 2013.

The motion was adopted.

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

House Bill 698 – Delegates Pena–Melnyk, Braveboy, and A. Washington

AN ACT concerning

Ex–Offender Business Development Program Study

HB0698/857072/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 698

(Third Reading File Bill)

On page 2, strike beginning with “to” in line 1 down through “and” in line 2.

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 with amendments:

House Bill 934 – Delegates Lee, Conaway, Cullison, Dumais, Glenn, Gutierrez, A. Kelly, A. Miller, Mizeur, Nathan–Pulliam, B. Robinson, S. Robinson, ~~and M. Washington~~ M. Washington, Hammen, Pendergrass, Costa, Donoghue, Elliott, Frank, Hubbard, Kach, Kipke, Krebs, Morhaim, Murphy, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

~~**Task Force on the Use of Telehealth to Improve Maryland Health Care**~~
Telemedicine Task Force – Maryland Health Care Commission

HB0934/557372/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 934

(Third Reading File Bill)

On page 6, in line 2, strike the second “and”; and in line 3, after “(4)” insert “identify strategies for telehealth deployment in rural areas of the State to increase access to health care and meet any increased demand for health care due to the implementation of the Patient Protection and Affordable Care Act; and

(5)”.

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 with amendments:

House Bill 955 – Delegates Jameson and Kaiser

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs

HB0955/387778/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 955

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 4, and 11, in each instance, after “Programs” insert “and the Process for Assisting Individuals with Disabilities at Local Departments of Social Services”.

AMENDMENT NO. 2

On page 1, in line 15, after “Programs” insert “and the Process for Assisting Individuals with Disabilities at Local Departments of Social Services”.

On page 2, in line 11, strike “the American Cancer Society” and substitute “All Shades of Pink”; in line 14, strike “Maryland Chamber of Commerce” and substitute “Leukemia and Lymphoma Society”; in line 16, strike “three” and substitute “two”; in line 17, strike “and”; in line 18, after “public” insert “;

(ix) one representative of a disability advocacy organization;

(x) two representatives of local departments of social services;

and

(xi) at least two representatives of cancer treatment centers in the State who perform patient navigation services”;

and in line 20, after “Administration” insert “and the Department of Human Resources”.

On page 3, after line 22, insert:

“(6) study and make recommendations regarding the adequacy of the application processes utilized by local departments of social services to assist individuals who become disabled due to nonwork–related illness or injury, including individuals undergoing treatment for cancer, and who apply for assistance, including food stamps, temporary cash assistance, energy assistance benefits, temporary disability assistance benefits, and medical assistance;”;

and in lines 23 and 25, strike “(6)” and “(7)”, respectively, and substitute “(7)” and “(8)”, respectively.

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:

House Bill 1088 – Delegates Niemann and Vaughn

AN ACT concerning

Business Regulation – Returnable Containers and Returnable Textiles – Revisions

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1183 – Delegates Conway, Cane, Eckardt, Gutierrez, Proctor, and Sophocleus

AN ACT concerning

Public Health – Retail Establishments – Use of Toilet Facilities by Customers

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:

House Bill 1205 – Delegate Rudolph

AN ACT concerning

~~Task Force to~~ **Study of Captive Insurers**

HB1205/867577/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1205

(Third Reading File Bill)

On page 3, in line 24, strike “(h)” and substitute “(d)”.

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 with amendments:

House Bill 1215 – Delegate Walker

AN ACT concerning

Consumer Protection – Home Appliances – Warranty Enforcement

HB1215/287373/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1215

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Appliances –” and substitute “Appliances and”; and in the same line, after “Enforcement” insert “– Study”.

On pages 1 and 2, strike beginning with “requiring” in line 3 on page 1 down through “terms” in line 14 on page 2 and substitute “requiring the Consumer Protection Division of the Office of the Attorney General to conduct a study of the consumer protections available to purchasers of home appliances who seek enforcement of certain warranties; requiring the study to analyze certain complaints, evaluate whether certain requirements and remedies under State and federal law provide adequate protection to certain purchasers of home appliances, and make a certain determination; requiring the Consumer Protection Division to consult with certain persons in conducting its study; requiring the Consumer Protection Division to report certain findings and recommendations to certain committees of the General Assembly on or before a certain date”.

On page 2, strike in their entirety lines 16 through 21, inclusive.

AMENDMENT NO. 2

On page 2, in line 23, strike “the Laws of Maryland read as follows”.

On pages 2 through 6, strike in their entirety the lines beginning with line 24 on page 2 through line 19 on page 6, inclusive, and substitute:

“(a) (1) The Consumer Protection Division of the Office of the Attorney General shall conduct a study of the consumer protections available to purchasers of home appliances who seek enforcement of manufacturers’ express warranties on home appliances.

(2) The study shall:

(i) analyze complaints received by the Consumer Protection Division relating to home appliances;

(ii) evaluate whether existing requirements and remedies under State and federal law provide adequate protection to purchasers of home appliances who seek enforcement of manufacturers' express warranties on home appliances; and

(iii) determine what, if any, changes to State law are needed to protect consumers who purchase home appliances that do not conform to the manufacturers' express warranties.

(b) In conducting its study, the Consumer Protection Division shall consult with:

(i) consumers and representatives of consumer advocacy organizations;

(ii) manufacturers and retailers of home appliances;

(iii) the Association of Home Appliance Manufacturers; and

(iv) any other person that the Consumer Protection Division considers appropriate.

(c) On or before December 31, 2013, the Consumer Protection Division shall report, in accordance with § 2-1246 of the State Government Article, its findings and recommendations, including draft legislation, if any, to the Senate Finance Committee and the House Economic Matters Committee.”.

On page 6, in line 20, strike “3.” and substitute “2.”; and in line 21, 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 Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1315 – Delegates Clagett and Zucker

AN ACT concerning

**Economic Development Programs – Data Collection and Tracking
(Maryland Jobs Development Act)**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

QUORUM CALL

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

(See Roll Call No. 885)

ADJOURNMENT

At 1:01 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 29, 2013, Calendar Day, Wednesday, April 3, 2013, in memory of Gus Triandos.

Annapolis, Maryland
Legislative Day: March 29, 2013
Calendar Day: Wednesday, April 3, 2013
10:00 A.M. Session

The Senate met at 10:12 A.M.

Prayer by Rabbi Douglas Heifetz, Oseh Shalom, guest of Senator Rosapepe.

(See Exhibit A of Appendix III)

The Journal of March 28, 2013 was read and approved.

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

QUORUM CALL

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

(See Roll Call No. 887)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 655 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Brian Stupak
in recognition of
being named 2013 Tree Farmer Inspector of the Year for outstanding stewardship in
managing forest resources and increasing public understanding of the benefits of
sustainable forestry. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 3rd day of April 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 888)

Senate Resolution No. 650 – Senator Ulysses Currie:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Continental Societies, Inc.
in recognition of
serving children in the community
for more than 60 years. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 2nd day of April 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 889)

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #3

House Bill 103 – Delegates Morhaim, Barve, Cardin, Cluster, Feldman, Frank, Griffith, Hammen, Ivey, Kramer, Lafferty, Luedtke, Mitchell, Mizeur, Murphy, Nathan–Pulliam, Proctor, Reznik, S. Robinson, Stein, F. Turner, Walker, and Zucker

AN ACT concerning

School Buildings – Solar Technology – Design Development Documents

Read the third time and passed by yeas and nays as follows:

Affirmative – 40 Negative – 7 (See Roll Call No. 890)

The Bill was then sent to the House of Delegates.

House Bill 288 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – Public Facility Bonds

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 891)

The Bill was then sent to the House of Delegates.

House Bill 390 – Delegates Griffith ~~and James~~, James, Aumann, Bates, Bohanan, Eckardt, Gutierrez, Haynes, B. Robinson, Serafini, Szeliga, and Zucker

AN ACT concerning

State Retirement and Pension System – Board of Trustees

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 4 (See Roll Call No. 892)

The Bill was then sent to the House of Delegates.

House Bill 492 – Delegate Otto

AN ACT concerning

Employees’ Pension System – Somerset County Economic Development Commission – Eligible Governmental Unit

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 893)

The Bill was then sent to the House of Delegates.

House Bill 863 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barnes, Barve, Bobo, Braveboy, Clagett, Clippinger, Cullison, DeBoy, Feldman, Frick, Frush, Gaines, Glenn, Gutierrez, Guzzone, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Ivey, Jameson, Jones, Kaiser, Kramer, Lafferty, Luedtke, Malone, McHale, McIntosh, A. Miller, Mizeur, Pena-Melnyk, Pendergrass, Proctor, Reznik, B. Robinson, Stein, F. Turner, V. Turner, Valderrama, A. Washington, M. Washington, and Zucker

AN ACT concerning

Higher Education Fair Share Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 35 Negative – 12 (See Roll Call No. 894)

The Bill was then sent to the House of Delegates.

House Bill 895 – Howard County Delegation

AN ACT concerning

**Education – Howard County Library System – Collective Bargaining
Ho. Co. 3–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 6 (See Roll Call No. 895)

The Bill was then sent to the House of Delegates.

**House Bill 1155 – Delegates Branch, Barve, Hixson, Luedtke, Myers,
F. Turner, and Walker**

AN ACT concerning

Video Lottery Facilities – Table Game Proceeds

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 896)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #4

CONSENT CALENDAR #2

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 69	Dorchester Co. Del.	Dorchester County – Restriction on Sunday Gaming – Repeal	B&T
HB 201	Del. Hershey	Queen Anne’s County – Property Tax Credit – Commercial Investment and Economic Development	B&T
HB 305	Carroll County Del.	Carroll County – Budgeting	B&T

		and Finance Procedures – Surplus Funds	
HB 376	Del. Griffith	State Retirement and Pension System – Correction of Errors in Benefits	B&T
HB 452	Del. Beitzel	Garrett County – Bonds for Garrett County Memorial Hospital	B&T
HB 470	Del. Otto	Somerset Co – Co Tres – Abolishment and Transf of Functions to the Co Supvr of Tax Collection	B&T
HB 546	Washington County Del.	Washington County – Public Facilities Bonds	B&T
HB 852	Del. Griffith	State Ret and Pension Systems – Cost-of-Living Adjustments – Simplification and Clarif	B&T
HB 1053 (Emergency Bill)	Del. B. Robinson	Video Lottery Facilities – Employee Licenses – Crimes of Moral Turpitude or Gambling	B&T

All of the above listed bills on the Third Reading Consent Calendar No. 2 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 897)

The Bills were then sent to the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

**House Bill 1429 – Chair, Environmental Matters Committee (By Request –
Departmental – Health and Mental Hygiene)**

AN ACT concerning

~~State Ethics – Former State~~ **Department of Health and Mental Hygiene –
Former Officials and Employees – Employment**

FOR the purpose of providing that ~~a former State official or employee~~ certain former officials or employees of the Department of Health and Mental Hygiene may not be considered to have participated significantly in a contract under certain circumstances for purposes of certain restrictions on employment; requiring the Department to submit a certain report by a certain date to certain committees of the General Assembly describing certain information regarding certain former officials or employees; and generally relating to employment of certain former State officials and employees of the Department of Health and Mental Hygiene.

~~BY repealing and reenacting, with amendments,
Article – State Government
Section 15–504
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

BY adding to
Article – Health – General
Section 15–147
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 19	Sen. Jennings	Crimes – Aiming Laser Pointer at Aircraft
SB 140	Sen. Conway	State Finance and Procurement – Retention of Percentage of Contract – Security
SB 143	Sen. Pugh	Public Schools – Emergency Management Plans – Evaluations
SB 148	Sen. Colburn	Caroline County – Alcoholic Beverages – Micro-Brewery Licenses
SB 149	Sen. Colburn	Dorchester County – Alcoholic Beverages – Micro-Breweries
SB 150	Sen. Colburn	Dorchester County – Alcoholic Beverages – Refillable Containers

SB 183 (Emergency Bill)	Ch., Budget & Tax	Income Tax – Business and Economic Development – Film Production Activity Tax Credit
SB 190	Sen. Shank	State Government – Notary Public – Appointment
SB 223	Sen. Conway	Alcoholic Beverages – Class 7 Limited Beer Wholesaler’s License
SB 237	The President	Health Occupations – Sunset Extension and Program Evaluation
SB 243	Sen. Astle	Maryland Income Tax Refund – Anne Arundel County Warrant Intercept Program – Extension
SB 245	Sen. Robey	School Buildings – Solar Technology – Design Development Documents
SB 254	Sen. Montgomery	State Board of Examiners of Psychologists – License Renewal
SB 264	Ch., Jud. Proceed.	Children in Need of Assistance – Review Hearings
SB 265	Ch., Jud. Proceed.	Chldrn in Need of Assistance – Rgts of Preadoptive Parents, Foster Parents, and Caregivers of Child
SB 267	Sen. Raskin	Cts and Jud Prcdngs – Intercept of Communs – Abuse or Neglect of Vulnerable Adlt and Medicaid Fraud
SB 338 (Emergency Bill)	Sen. Conway	St Bd of Nursing – Medication Technician Graduates and Certd Medication Technicians – Sunset Ext
SB 342	Sen. Madaleno	State Government – Access to Public Records in Electronic Formats – Termination Date
SB 350	Sen. Colburn	Electrical Inspectors and Plumbing Inspectors – Master License Required
SB 404	Sen. Middleton	Income Tax – Subtraction Modification – Enhanced Agricultural Management Equipment
SB 405	Sen. Middleton	Labor and Employment – Payment of Overtime Wages

SB 413	Sen. King	Criminal History Records Checks – Informal Child Care Providers
SB 415	Sen. King	Criminal History Records Checks – Child Care Providers
SB 428	Carroll Co. Senators	Carroll County – Board of Education – Nonvoting Student Representative
SB 461	Sen. Conway	Primary and Secondary Education – Online Courses and Services – Accessibility
SB 501	Sen. Conway	State Board of Nursing – Licensure by Endorsement – Clinical Experience
SB 507	Sen. Shank	Correctional Facilities – Inmate Programs in Washington County – Payment of Child Support
SB 548	Sen. Pugh	Education – Minority Teacher Recruitment – Study and Report
SB 613	Sen. Klausmeier	Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds
SB 633	Sen. Peters	Libraries – County Library Capital Project Grant – Wealth–Based Cost Share
SB 679	Sen. Pugh	Virginia I. Jones Alzheimer’s Disease and Related Disorders Council
SB 690	Sen. Montgomery	Md Bd of Physicians – Failure to Renew a License or Misrepresentation as a Lic’d Person – Penalties
SB 762	Sen. Ramirez	Environment – Asbestos Occupation – Training Program and Examination
SB 777	Sen. Pugh	Insurance – Ceding Insurers and Reinsurance
SB 857	Sen. Miller	Commission on the Establishment of a Maryland Educators Service Memorial

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

THE COMMITTEE ON RULES REPORT #14

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Finance:

House Bill 1009 – Delegate Reznik

AN ACT concerning

~~**Medical Spa Facilities – Licensing Requirements**~~
Cosmetic Surgical Facilities – Regulation

The bill was re-referred to the Committee on Finance.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #61

Senate Bill 902 – Senators Muse and Zirkin

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

Read the third time and passed by yeas and nays as follows:

Affirmative – 34 Negative – 13 (See Roll Call No. 898)

The Bill was then sent to the House of Delegates.

**Senate Bill 1010 – Senators Brinkley, Forehand, Kelley, King, Kittleman,
Klausmeier, Madaleno, Middleton, Pipkin, and Pugh**

AN ACT concerning

**Children with Developmental Disabilities in State Custody – Continuation of
Placement and Services**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 899)

The Bill was then sent to the House of Delegates.

Senate Bill 1039 – The President (By Request – Commission to Study Campaign Finance Law) and Senators Ferguson and Benson

AN ACT concerning

Campaign Finance Reform Act of 2013

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 900)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #5

House Bill 218 – Delegate George

AN ACT concerning

Physician Assistants – Performance of X-Ray Duties

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 901)

The Bill was then sent to the House of Delegates.

House Bill 230 – Delegates Schulz, Afzali, Barkley, Clagett, Feldman, Hershey, Hogan, Hough, Jacobs, McDermott, W. Miller, Olszewski, Otto, Ready, and Smigiel

AN ACT concerning

Alcoholic Beverages – Farm Breweries and Micro-Breweries

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 902)

The Bill was then sent to the House of Delegates.

House Bill 360 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Health Insurance – Repeal of Obsolete Provisions of Law

Read the third time and passed by yeas and nays as follows:

Affirmative – 40 Negative – 7 (See Roll Call No. 903)

The Bill was then sent to the House of Delegates.

House Bill 361 – Chair, Health and Government Operations Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

Health Insurance – Conformity with and Implementation of Federal Patient Protection and Affordable Care Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 904)

The Bill was then sent to the House of Delegates.

House Bill 616 – Chair, Appropriations Committee (By Request – Departmental – University System of Maryland)

AN ACT concerning

Academic Facilities Bonding Authority

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 905)

The Bill was then sent to the House of Delegates.

House Bill 650 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Prevailing Wage
MC/PG 112–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 906)

The Bill was then sent to the House of Delegates.

House Bill 813 – Delegates Kaiser, Eckardt, Arora, Bobo, Carr, Donoghue, Frick, Guzzone, Haynes, Healey, Hubbard, Luedtke, McDonough, A. Miller, Mitchell, Reznik, B. Robinson, F. Turner, V. Turner, Valentino-Smith, Vitale, Waldstreicher, M. Washington, ~~and Zucker~~ Zucker, and Howard

AN ACT concerning

Task Force to Study the Impact of Expanding Credit and Noncredit Courses for Students with Intellectual and Developmental Disabilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 907)

The Bill was then sent to the House of Delegates.

House Bill 830 – Delegate Rudolph

AN ACT concerning

Alternatives to the General Educational Development Tests – Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 908)

The Bill was then sent to the House of Delegates.

House Bill 1040 – Delegates Sophocleus, Beidle, Eckardt, Frush, Kipke, Love, McConkey, McMillan, and Wood

AN ACT concerning

Business Regulation – Secondhand Precious Metal Object Dealers and Pawnbrokers – Revisions

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 909)

The Bill was then sent to the House of Delegates.

House Bill 1301 – Delegate Jones

AN ACT concerning

State Board of Cosmetologists – Limited ~~Licenses~~ License – HairstylistRead the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 910)

The Bill was then sent to the House of Delegates.**House Bill 1372 – Delegates Jones and Griffith**

AN ACT concerning

Prior Authorizations of State Debt to Fund Capital Projects – AlterationsRead the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 911)

The Bill was then sent to the House of Delegates.**THIRD READING CALENDAR (HOUSE BILLS) #6****CONSENT CALENDAR #3**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 96	Ch., Envir. Mat. Com.	Natural Resources – Restricted Shellfish Harvest Areas – Water Testing	EHE
HB 172	Charles County Del.	Charles County – Alcoholic Beverages Licensees – Nonalcoholic Items – Hours of Sale	EHE
HB 213	Del. Hershey	Queen Anne’s County – Alcoholic Beverages – Inspectors	EHE
HB 455	Howard County Del.	Howard County – Alcoholic Beverages – Refillable Wine Containers Ho. Co. 15–13	EHE

HB 491	Del. Otto	Somerset Co – Alc Bevs – Selling Near Schools, Places of Worship, Public Libs, and Yth Centers	EHE
HB 645	Montgomery Co. Del.	Montgomery Co – Sale of Alc Bevs – Dstnc from Schools, Places of Worship, or Yth Ctrs MC 16–13	EHE
HB 647	Montgomery Co. Del.	Montgomery County – Town of Kensington – Beer and Wine Sampling or Tasting MC 9–13	EHE
HB 649	Montgomery Co. Del.	Montgomery County – Alcoholic Beverages – Refillable Beer Containers MC 4–13	EHE
HB 672	Montgomery Co. Del.	Montgomery County – Consumption of Wine Not Bought from License Holder – Class H Licenses MC 17–13	EHE
HB 1070	Prince George’s Del.	Alc Bevs – City of College Park – Sales by License Holders Near School Bldgs PG 309–13	EHE
HB 1072 (AMENDED)	Prince George’s Del.	Alcoholic Beverages – City of Laurel – Sales by License Holders PG 308–13	EHE
HB 1240	Howard County Del.	Howard County – Alcoholic Beverages – Continuing Care Retirement Community License Ho. Co. 10–13	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 3 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 912)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #7

House Bill 124 – Delegate Davis

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 – 2 (See Roll Call No. 913)

The Bill was then sent to the House of Delegates.

House Bill 286 – Delegates Niemann, Beidle, Glenn, and Lafferty

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 9 (See Roll Call No. 914)

The Bill was then sent to the House of Delegates.

House Bill 448 – Delegate Ready

AN ACT concerning

State Government – Notary Public – Appointment

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 915)

The Bill was then sent to the House of Delegates.

House Bill 588 – Delegate Anderson (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Children – Records Access

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 916)

The Bill was then sent to the House of Delegates.

House Bill 626 – Delegates Mitchell, Vallario, Bobo, Carr, Clippinger, Gilchrist, Guzzone, Ivey, A. Kelly, Lee, Luedtke, S. Robinson, Simmons, M. Washington, and Zucker

AN ACT concerning

Register of Wills – Salary

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 917)

The Bill was then sent to the House of Delegates.

House Bill 742 – Delegates Waldstreicher ~~and McDermott~~, McDermott, Clippinger, Cluster, Conaway, Dumais, Hough, K. Kelly, and Mitchell

EMERGENCY BILL

AN ACT concerning

Criminal Procedure – Citation Authority

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 918)

The Bill was then sent to the House of Delegates.

House Bill 753 – Delegates Malone, Kach, Clagett, Barkley, Bobo, Hogan, Howard, Lafferty, A. Miller, Murphy, Pendergrass, Reznik, Stein, ~~and Weir~~ Weir, Glenn, Beidle, Cane, Carr, Healey, S. Robinson, and Wilson

AN ACT concerning

Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforcement, and Penalties

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 919)

The Bill was then sent to the House of Delegates.

House Bill 781 – Delegate Gilchrist

AN ACT concerning

Vehicle Laws – Towing or Removal of Vehicles – ~~Mailing Charges~~ Notice

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 920)

The Bill was then sent to the House of Delegates.

House Bill 791 – Delegates McHale and Malone

AN ACT concerning

Tax Credits – Electric Vehicles – Extensions

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 921)

The Bill was then sent to the House of Delegates.

House Bill 838 – Delegates Dumais, Anderson, Cardin, Carter, Clippinger, Conaway, Frick, Haynes, Lafferty, Lee, McComas, McDermott, Mitchell, Oaks, V. Turner, Valderrama, Valentino–Smith, and Waldstreicher

AN ACT concerning

Civil Cases – Maryland Legal Services Corporation Fund – Surcharges – ~~Repeal~~ Extension of Termination Date

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 922)

The Bill was then sent to the House of Delegates.

House Bill 942 – Delegate Lee (Commission on Maryland Cybersecurity Innovation and Excellence) and Delegates Arora, Conaway, DeBoy, Dumais, Glenn, Hough, McComas, McDonough, Mitchell, B. Robinson, Stocksdale, Stukes, Tarrant, F. Turner, Valderrama, Valentino–Smith, and Zucker

AN ACT concerning

Identity Fraud – ~~Medical~~ Health Information and Health Care Records

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 923)

The Bill was then sent to the House of Delegates.

House Bill 950 – Delegate Dumais

AN ACT concerning

Circuit Court Clerks – Salary

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 924)

The Bill was then sent to the House of Delegates.

House Bill 1171 – Cecil County Delegation

AN ACT concerning

Cecil County – School Buses – Length of Operation

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 925)

The Bill was then sent to the House of Delegates.

House Bill 1179 – Delegates Conway and Cane

AN ACT concerning

Vehicle Laws – Motor Scooters and Mopeds – Special Dealer Decals

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 926)

The Bill was then sent to the House of Delegates.

House Bill 1211 – Delegates Schulz, Afzali, Aumann, Clagett, Clippinger, Dumais, Eckardt, Frank, Glass, Haddaway-Riccio, Hough, Kaiser,

Krebs, McComas, McDermott, W. Miller, Niemann, Olszewski, Parrott, Schuh, Smigiel, Stocksdales, Szeliga, Valderrama, and Vitale

AN ACT concerning

**Estates and Trusts – Slayer’s Statute
(Ann Sue Metz Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 927)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #8

CONSENT CALENDAR #4

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 1	Del. K. Kelly	Criminal Law – Cannabimimetic Agents – Prohibition	JPR
HB 8	Del. Vitale	Estates and Trusts – Guardianship Accounts – Form and Limits	JPR
HB 88 (AMENDED)	Del. Arora	Real Property – Refinance Mortgage – Priority over Junior Liens	JPR
HB 116	Del. Mitchell	Cts and Jud Prcdngs – Intercept of Communs – Abuse or Neglect of Vulnerable Adlt and Medicaid Fraud	JPR
HB 129	Ch., Judiciary Com.	Task Force to Study Implementing a Civil Right to Counsel in Maryland	JPR
HB 180	Del. Glenn	Medical Marijuana – Caregiver – Affirmative Defense	JPR
HB 183	Del. K. Kelly	Correctional Training Commission – Members	JPR

HB 277	Ch., Judiciary Com.	Children in Need of Assistance – Review Hearings	JPR
HB 278	Ch., Judiciary Com.	Chldrn in Need of Assistance – Rgts of Preadoptive Parents, Foster Parents, and Caregivers of Child	JPR
HB 320	Baltimore County Del.	Vehicle Laws – Registration Plates for Individuals with Disabilities – Parking in Baltimore County	JPR
HB 346	Harford County Del.	Harford County – Correctional Officers’ Bill of Rights	JPR
HB 388	Del. Gilchrist	Maryland Condominium Act – Closed Meetings of Board of Directors	JPR
HB 489	Del. Mitchell	Criminal Law – Threat Against State or Local Official – Expansion	JPR
HB 521	Del. Anderson	Baltimore City – Extinguishment or Redemption of Ground Rents	JPR
HB 542	Del. McConkey	Criminal Law – Aggravated Animal Cruelty – Baiting	JPR
HB 559	Washington County Del.	Washington County – Special Deputy Sheriffs	JPR
HB 596 (AMENDED)	Del. Clippinger	Civil Actns – Intrrogtrs or Exam in Aid of Enforcem – Proc Aftr Arrest fr Failre to Appr to Show Cause	JPR
HB 604	Del. Hough	Department of Juvenile Services – Graduated Responses – Report	JPR
HB 631	Del. Hough	Family Law – Preventing or Interfering with Report of Suspected Child Abuse or Neglect	JPR

HB 702	Del. Feldman	Corporations and Associations – Document Filing and Processing	JPR
HB 709	Del. McDermott	Criminal Law – Accessory After the Fact – Murder (The Sheddy–Bennett Act)	JPR
HB 792	Washington County Del.	Correctional Facilities – Inmate Programs in Washington County – Payment of Child Support	JPR
HB 794	Del. Niemann	Manufactured Homes – Affixation to Real Property – Liens	JPR
HB 836	Del. Malone	Vehicle Laws – Electric Vehicles	JPR
HB 889	Del. Malone	Vehicles Laws – Emergency Vehicles – Motorcades and Escorts	JPR
HB 932	Del. Luedtke	Child Care – Dispute Resolution	JPR
HB 1140	Del. Feldman	Corporations and Associations – Conversions	JPR
HB 1175	Del. Vallario	Police Training Commission – Membership – Police Chiefs’ Association of Prince George’s County	JPR
HB 1303 (AMENDED)	Del. Dumais	Maryland Legal Services Corporation Funding – Abandoned Property Funds	JPR
HB 1308	Del. Healey	Residential Property – Prohibition on Nonjudicial Evictions	JPR
HB 1328	Del. Smigiel	Estates and Trusts – Special and Supplemental Needs Trusts	JPR

– Regulations by State
Agencies

HB 1340 Del. Stukes
(AMENDED)

Courts and Judicial
Proceedings – Baltimore City
Sheriff and Fees for Filing
and Service of Process

JPR

All of the above listed bills on the Third Reading Consent Calendar No. 4 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 928)

The Bills were then sent to the House of Delegates.

Senate Resolution No. 605 – Senator Rob Garagiola:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Poolesville High School
Boys and Girls Swimming & Diving Team
in recognition of
the superb athletic achievement of winning
the 2013 Maryland State Championship.
Congratulations!

The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 3rd day of April 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 929)

THIRD READING CALENDAR (HOUSE BILLS) #9

House Bill 587 – Delegate Davis

AN ACT concerning

**Electric Companies – Service Quality and Reliability Standards – Vegetation
Management**

Senator Pinsky moved, duly seconded, to make the Bill a Special Order for April 4, 2013.

The motion was adopted.

House Bill 698 – Delegates Pena–Melnyk, Braveboy, and A. Washington

AN ACT concerning

Ex–Offender Business Development Program Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 930)

The Bill was then sent to the House of Delegates.

House Bill 934 – Delegates Lee, Conaway, Cullison, Dumais, Glenn, Gutierrez, A. Kelly, A. Miller, Mizeur, Nathan–Pulliam, B. Robinson, S. Robinson, ~~and M. Washington~~ M. Washington, Hammen, Pendergrass, Costa, Donoghue, Elliott, Frank, Hubbard, Kach, Kipke, Krebs, Morhaim, Murphy, Pena–Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

~~**Task Force on the Use of Telehealth to Improve Maryland Health Care**~~
Telemedicine Task Force – Maryland Health Care Commission

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 931)

The Bill was then sent to the House of Delegates.

House Bill 955 – Delegates Jameson and Kaiser

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 932)

The Bill was then sent to the House of Delegates.

House Bill 1088 – Delegates Niemann and Vaughn

AN ACT concerning

**Business Regulation – Returnable Containers and Returnable Textiles –
Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 933)

The Bill was then sent to the House of Delegates.

**House Bill 1183 – Delegates Conway, Cane, Eckardt, Gutierrez, Proctor, and
Sophocleus**

AN ACT concerning

Public Health – Retail Establishments – Use of Toilet Facilities by Customers

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 934)

The Bill was then sent to the House of Delegates.

House Bill 1205 – Delegate Rudolph

AN ACT concerning

~~Task Force to~~ **Study of Captive Insurers**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 935)

The Bill was then sent to the House of Delegates.

House Bill 1215 – Delegate Walker

AN ACT concerning

Consumer Protection – Home Appliances – Warranty Enforcement

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 936)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #10

CONSENT CALENDAR #5

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 328 (AMENDED)	Del. Feldman	Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition	B&T
HB 372 (AMENDED)	Del. Barve	Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption	B&T
HB 378	Del. Stocksdale	Maryland Agricultural Land Preservation Fund – Easement Restriction – Reimbursement	EHE
HB 450	Howard County Del.	Howard County – Property Tax Credit – Renovated, Upgraded, or Rehabilitated Property Ho. Co. 11–13	B&T
HB 494 (AMENDED)	Del. Griffith	State Retirement and Pension System – Employment of Retirees – Required Break in Service	B&T
HB 495 (AMENDED)	Del. Griffith	State Retirement and Pension System – Unused Sick Leave Calculation – Clarification	B&T
HB 551	Washington County Del.	Washington County – Technology–Related Businesses – Payment in Lieu of Taxes Agreements	B&T
HB 675	Montgomery Co. Del.	Montgomery Co – Property Tax Credit for Qualified Enterprise Zone Property – Burtonsville MC 14–13	B&T
HB 677	Montgomery Co. Del.	Montgomery Co – Property Tax Credit for Qualified	B&T

		Enterprise Zone Property – Glenmont MC 18–13	
HB 766	Del. Frush	Environment – Severn River Watershed – Silt and Erosion Control – Certification	EHE
HB 901	Howard County Del.	Howard County – Alcoholic Beverages Establishments – Distance from Schools	EHE
HB 1194 (Emergency Bill)	Del. Impallaria	Baltimore County – Property Tax Credit – Bowerman–Loreley Beach Community Association, Inc	B&T
HB 1327	Del. Otto	Agricultural Commodity – Assessment – Collection	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 5 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 937)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #11

House Bill 108 – Delegate Lafferty

AN ACT concerning

Housing and Community Development – Neighborhood and Community Assistance Program – Project Proposals

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 938)

The Bill was then sent to the House of Delegates.

House Bill 636 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary District – System Development Charge –
Exemptions
MC/PG 103–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 939)

The Bill was then sent to the House of Delegates.

**House Bill 638 – Montgomery County Delegation and Prince George’s County
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Minority Business Enterprise
Programs – ~~Annual Report~~ and Task Force Extension
MC/PG 107–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 940)

The Bill was then sent to the House of Delegates.

**House Bill 640 – Montgomery County Delegation and Prince George’s County
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Sewage Leaks – Notice
Requirements
MC/PG 115–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 941)

The Bill was then sent to the House of Delegates.

**House Bill 641 – Montgomery County Delegation and Prince George’s County
Delegation**

AN ACT concerning

**Washington Suburban Sanitary Commission – Drinking Water ~~and~~
~~Wastewater Effluent~~ – Testing**

MC/PG 113–13

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 942)

The Bill was then sent to the House of Delegates.

House Bill 757 – Delegate Holmes

AN ACT concerning

Procurement – Minority Business Enterprises – Reporting of Architectural Services and Engineering Services Contracts

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 943)

The Bill was then sent to the House of Delegates.

House Bill 957 – Delegates Rosenberg ~~and Carr~~, Carr, Healey, and Glenn

AN ACT concerning

Housing – ~~Elderly~~ – Accessible Housing for Senior Homeowners Programs, Older Adults, and Individuals with Disabilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 944)

The Bill was then sent to the House of Delegates.

House Bill 1315 – Delegates Clagett and Zucker

AN ACT concerning

**Economic Development Programs – Data Collection and Tracking
(Maryland Jobs Development Act)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 945)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #12

CONSENT CALENDAR #6

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 9	Del. Hixson	Hlth – Food Allergy Awareness, Food Saf, and Food Serv Fac Letter Grading – Posting Reqmt and TF	FIN
HB 57	Del. B. Robinson	Office of Health Care Quality – Abuser Registry Workgroup	FIN
HB 75	Del. Feldman	Utility Service Protection Program – Annual Report – Deadline	FIN
HB 127	Del. Davis	Labor and Employment – Payment of Overtime Wages	FIN
HB 182	Del. Kramer	Business Reg – Other Tobacco Prods Wholesalers – License Fee Exception for Cigarette Subwholesalers	FIN
HB 334	Del. M. Washington	Commercial Law – Consumer Protection – Rental–Purchase Transactions	FIN
HB 342 (AMENDED)	Del. Hucker	Homeowner’s or Renter’s Ins and Private Psgr Motor Vehicle Ins – Bundling Reqmt – Prohibited	FIN
HB 373 (Emergency Bill)	Del. Haddaway–Riccio	Hospitals – Outpatient Services – Off–Site Facility – Rate Regulation	FIN
HB 391	Del. Krebs	State Employee and Retiree Health and Welfare Benefits Program – Wellness Program	FIN
HB 690	Del. Pena–Melnyk	Virginia I. Jones Alzheimer’s Disease and Related Disorders Council	FIN

HB 785	Del. A. Washington	Commercial Law – Maryland Credit Services Businesses Act – Scope	FIN
HB 795	Del. Hucker	Maryland Occupational Safety and Health Act – Discrimination Against Employee – Complaints	FIN
HB 1042	Del. Smigiel	Hospitals – Credentialing and Privileging Process – Telemedicine	FIN
HB 1062 (AMENDED)	Del. Cullison	Hospitals – Notice to Patients – Outpatient Status and Billing Implications	FIN
HB 1084	Del. Stein	Thermal Energy – Task Force and Regulations	FIN
HB 1090	Del. Barnes	Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility Bills	FIN
HB 1119	Del. Zucker	Department of Budget and Management – Foster Youth Summer Internship Pilot Program	FIN
HB 1132	Del. Rudolph	Maryland Automobile Insurance Fund – Operational Changes	FIN
HB 1160	Del. Kach	Health Insurance – Vision Services – Provider Contracts	FIN
HB 1166	Del. Davis	Insurance – Ceding Insurers and Reinsurance	FIN
HB 1216	Del. A. Kelly	Hlth Ins – Fed Mental Hlth Parity and Addiction Equity Act – Notice and Authorzn Forms	FIN
HB 1252	Del. A. Kelly	Hlth Ins – Fed Mental Hlth Parity and Addiction Equity Act – Utiliz Review Criteria	FIN

and Standards

HB 1297 Del. Zucker
(AMENDED)

Consumer Protection –
Security Freezes – Children
in Foster Care Settings

FIN

All of the above listed bills on the Third Reading Consent Calendar No. 6 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 946)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #13

**House Bill 97 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

**Environment – Sediment Control and Stormwater Management Plans –
Authority**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 947)

The Bill was then sent to the House of Delegates.

**House Bill 268 – Chair, Appropriations Committee (By Request –
Departmental – University System of Maryland)**

AN ACT concerning

**University of Maryland Center for Environmental Science – Joint Graduate
Degree Granting Authority**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 948)

The Bill was then sent to the House of Delegates.

**House Bill 347 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

Professional Engineers – Firm Permits

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 949)

The Bill was then sent to the House of Delegates.

**House Bill 351 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation) and Delegate Reznik**

AN ACT concerning

**State Athletic Commission – Amateur Mixed Martial Arts and Amateur
Kick Boxing – Licensing and Regulation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 950)

The Bill was then sent to the House of Delegates.

**House Bill 353 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**Professional Engineers and Professional Land Surveyors – Licensing –
Examinations**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 951)

The Bill was then sent to the House of Delegates.

**House Bill 355 – Chair, Economic Matters Committee (By Request –
Departmental – Labor, Licensing and Regulation)**

AN ACT concerning

**State Board of Stationary Engineers – Qualifications for Stationary
Engineer’s Examination – Grade 1 and Grade 2**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 952)

The Bill was then sent to the House of Delegates.

House Bill 670 – Montgomery County Delegation

EMERGENCY BILL

AN ACT concerning

**Montgomery County – Board of Education Districts – Town of Kensington in
One District
MC 1–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 953)

The Bill was then sent to the House of Delegates.

House Bill 674 – Montgomery County Delegation

AN ACT concerning

**Montgomery County – Board of Education – Compensation
MC 8–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 954)

The Bill was then sent to the House of Delegates.

House Bill 1079 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Salary of Part–Time Liquor
Inspectors
PG 316–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 955)

The Bill was then sent to the House of Delegates.

House Bill 1499 – The Speaker (By Request – Commission to Study Campaign Finance Law) and Delegates Cardin, George, and Summers

AN ACT concerning

Campaign Finance Reform Act of 2013

FLOOR AMENDMENT

HB1499/623027/1

BY: Senator Ferguson

AMENDMENT TO HOUSE BILL 1499

(Third Reading File Bill)

On page 24, in line 12, strike “\$10,000” and substitute “\$6,000”.

On page 29, in line 34, strike “\$10,000” and substitute “\$6,000”.

The preceding amendment was read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 956)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #14

CONSENT CALENDAR #7

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 99	Del. Hubbard	Public Health – Child Care Products Containing Flame-Retardant Chemicals (TCEP) – Prohibition	FIN
HB 126 (AMENDED)	Del. Davis	Consumer Protection – Maryland Consumer Protection Act – Scope and Penalties	FIN
HB 136	Del. A. Miller	State Personnel – Teleworking	FIN

		– Statewide Program and Goals	
HB 303 (AMENDED)	Del. Nathan–Pulliam	Task Force to Study Point–of–Care Testing for Lead Poisoning	FIN
HB 312	Del. Pena–Melnik	Mammograms – Dense Breast Tissue – Notification	FIN
HB 333	Del. Rosenberg	Family Investment Program – Couples Advancing Together Pilot Program	FIN
HB 401	Ch. Hlth & Govt Ops	Military Department – Powers of the Adjutant General – Summary Courts–Martial	EHE
HB 472	The Speaker	Local Government Article	EHE
HB 537	Del. Serafini	Insurance Producers – Continuing Education – Online Courses	FIN
HB 665	Del. DeBoy	State Personnel – Law Enforcement Employees – Extra Compensation	FIN
HB 733	The Speaker	Local Government – Cross–References and Corrections	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 7 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 957)

The Bills were then sent to the House of Delegates.

House Bill 359 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Militia – Maryland Defense Force – Enlistment Period

Senator Conway moved, duly seconded, to make the Bill a Special Order for April 5, 2013.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #23

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 481 – Senators Manno, Madaleno, and Raskin

AN ACT concerning

Income Tax Credit – Home Generators

SB0481/589733/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 481

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Income Tax Credit – Home Generators” and substitute “Task Force on the Implementation of Tax Benefits for Emergency Preparedness Equipment”; strike beginning with “allowing” in line 3 down through “generator” in line 9, and substitute “establishing the Task Force to Study the Implementation of Tax Benefits for Emergency Preparedness; 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 Implementation of Tax Benefits for Emergency Preparedness Equipment”; and strike in their entirety lines 10 through 14, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 16 on page 2, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Task Force to Study Tax Benefits for Emergency Preparedness Equipment.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Comptroller, or the Comptroller’s designee;

(4) one representative from the Maryland chapter of AARP, designated by the Maryland AARP State president; and

(5) the following members, appointed by the Governor:

(i) one member of the Public Service Commission;

(ii) one member of the Maryland Retailers Association; and

(iii) one member of the public who is a customer of an electric utility.

(c) The Governor shall designate the chair of the Task Force.

(d) The Public Service Commission shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study which members of the population would benefit from the implementation of:

(i) an income tax credit to purchase electric generators; or

(ii) a tax-free period for emergency preparedness equipment;

(2) study how individuals with physical difficulties, elderly individuals, and other individuals who are dependent on a consistent supply of power for medical purposes would benefit from the implementation of:

(i) an income tax credit to purchase electric generators; or

(ii) a tax-free period for emergency preparedness equipment;

(3) study whether commercial establishments would also benefit from an income tax credit to purchase electric generators or tax-free period for emergency preparedness equipment and the costs of establishing the credit or tax-free period; and

(4) make recommendations regarding the implementation of an income tax credit for the purchase of electric generators or a tax-free period for emergency preparedness equipment, including:

(i) qualifications for the credit;

(ii) the amount of the credit to be granted; and

(iii) the length of a tax-free period for emergency preparedness equipment.

(g) On or before December 1, 2013, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013. It shall remain effective for a period of 1 year and 1 month and, at the

end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read only.

Senator Middleton moved, duly seconded, to make the Bill and Amendments a Special Order for April 4, 2013.

The motion was adopted.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 482 – Senator Manno

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs

SB0482/109335/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 482

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 6 down through “year;” in line 8 and substitute “authorizing an individual or corporation to claim as a credit against the State income tax certain rental expenses under certain circumstances;”; and in line 12, strike “(b) and (c)(2)(i)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“(a) (1) In this section the following words have the meanings indicated.

(2) “Costs” means the costs to an individual or corporation for:

(i) security clearance administrative expenses incurred with regard to an employee in the State including, but not limited to:

1. processing application requests for clearances for employees in the State;

2. maintaining, upgrading, or installing computer systems in the State required to obtain federal security clearances; and

3. training employees in the State to administer the application process; and

(ii) construction and equipment costs incurred to construct or renovate a sensitive compartmented information facility (“SCIF”) located in the State as required by the federal government.

(3) “Department” means the Department of Business and Economic Development.

(4) “Secretary” means the Secretary of Business and Economic Development.

(5) “SMALL BUSINESS” HAS THE MEANING STATED IN § 7-218 OF THIS ARTICLE.”;

in line 23, strike “and”; and after line 23, insert:

“(2) EXPENSES INCURRED FOR RENTAL PAYMENTS OWED DURING THE FIRST YEAR OF A RENTAL AGREEMENT FOR SPACES LEASED IN THE STATE IF THE INDIVIDUAL OR CORPORATION IS A SMALL BUSINESS THAT PERFORMS SECURITY-BASED CONTRACTING, NOT TO EXCEED \$200,000; AND”.

On page 2, in line 1, strike “(2)” and substitute “**(3)**”; after line 7, insert:

“(c) (1) By September 15 of the calendar year following the end of the taxable year in which the costs were incurred, an individual or a corporation shall submit an application to the Department for the credits allowed under subsection [(b)(1) and (2)] **(B)** of this section.”;

in line 8, strike “(c)”; in line 9, strike the opening bracket; in the same line, strike “**]** \$4,000,000”; and after line 10, insert:

“(ii) If the total amount of credits applied for by all individuals and corporations under subsection (b) of this section exceeds the maximum specified under subparagraph (i) of this paragraph, the Department shall approve a credit under subsection (b) of this section for each applicant in an amount equal to the product of multiplying the credit applied for by the applicant times a fraction:

1. the numerator of which is the maximum specified under subparagraph (i) of this paragraph; and

2. the denominator of which is the total of all credits applied for by all applicants under subsection (b) of this section in the calendar year.

(3) By December 15 of the calendar year following the end of the taxable year in which the costs were incurred, the Department shall certify to the individual or corporation the amount of tax credits approved by the Department for the individual or corporation under this section.

(4) To claim the approved credits allowed under this section, an individual or a corporation shall:

(i) file an amended income tax return for the taxable year in which the costs were incurred; and

(ii) attach a copy of the Department’s certification of the approved credit amount to the amended income tax return.

(d) If the credit allowed for any taxable year under this section exceeds the total tax otherwise due, an individual or corporation may apply the excess as a credit against the State income tax for succeeding taxable years until the full amount of the excess is used.

(e) The Department, in consultation with the Comptroller, shall adopt regulations to carry out the provisions of this section.

(f) On or before December 31 of each year, the Department shall report to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on the number of credits certified in the previous calendar year.”.

The preceding 2 amendments were read only.

Senator Pipkin moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today's business.

The motion was adopted.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 828 – Senator Madaleno

AN ACT concerning

**St. Mary's College of Maryland – Tuition Freeze and DeSousa–Brent Scholars
Completion Grant**

SB0828/719332/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 828

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Madaleno” and substitute “Senators Madaleno, Jones–Rodwell, and McFadden”.

AMENDMENT NO. 2

On page 2, in line 24, strike “**THROUGH**” and substitute “AND”; and in line 25, strike “**2017**” and substitute “2014”.

On pages 2 and 3, strike in their entirety the lines beginning with line 29 on page 2 through line 14 on page 3, inclusive, and substitute:

“(C) FROM THE FUND, THE GOVERNOR SHALL APPROPRIATE TO ST. MARY’S COLLEGE OF MARYLAND:

(1) FOR FISCAL YEAR 2014, \$800,000; AND

(2) FOR FISCAL YEAR 2015, \$1,616,000.”

On page 3, in line 16, strike “2019” and substitute “2016”; and in line 17, strike “2018” and substitute “2015”.

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 with amendments:

Senate Bill 1037 – Senators King, Brinkley, Colburn, Currie, DeGrange, Edwards, Garagiola, Jones–Rodwell, Kasemeyer, Madaleno, Manno, Middleton, Miller, Peters, and Robey

AN ACT concerning

Public Safety – Response to a State Disaster or Emergency – Licensing and Taxes

SB1037/149437/1

BY: Budget and Taxation Committee

AMENDMENT TO SENATE BILL 1037

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Robey” and substitute “Robey, and McFadden”.

On page 2, in line 13, strike “GOOD FAITH RESPONSE EFFORT IS REQUIRED” and substitute “WIDESPREAD UTILITY OUTAGE OCCURS”; in line 25, after “FACILITIES,” insert “ELECTRIC AND”; in the same line, after “GAS” insert “TRANSMISSION AND”; and in line 26, strike “TRANSMISSION AND DISTRIBUTION SYSTEMS,”.

On page 4, in line 20, strike “October” and substitute “June”.

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 with amendments:

Senate Bill 1051 – Senator Rosapepe

AN ACT concerning

Maryland Private Sector Employees Pension Plan and Trust

SB1051/119730/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 1051

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Rosapepe” and substitute “Senators Rosapepe and Jones–Rodwell”; in line 2, strike “and Trust” and substitute “Task Force”; strike beginning with “establishing” in line 3 down through “terms;” in line 21; in line 22, strike “Workgroup” and substitute “Task Force”; in line 23, in each instance, strike “Workgroup” and substitute “Task Force”; in line 25, after “findings” insert “to the Governor and the General Assembly”; in line 26, strike “of certain provisions”; and strike beginning with “and” in line 27 down through “Trust” in line 28 and substitute “Task Force”.

On pages 1 and 2, strike in their entirety the lines beginning with line 29 on page 1 through line 4 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 through 10, strike in their entirety the lines beginning with line 5 on page 2 through line 29 on page 10, inclusive.

On page 10, strike in its entirety line 30 and substitute “SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:”; and in line 31, strike “Workgroup” and substitute “Task Force”.

On page 11, in line 1, strike “Workgroup” and substitute “Task Force”; in line 10, strike “two” and substitute “five”; in the same line, after “Governor” insert “,

including”; in line 14, strike “Workgroup” and substitute “Task Force”; in line 15, after “(d)” insert:

“In deciding which members to appoint, the Governor shall, to the extent practicable, consider the geographic diversity of the State.

(e) (1);

in line 16, strike “Workgroup” and substitute “Task Force”; after line 16, insert:

“(2) THE TASK FORCE SHALL SEEK PRO BONO TECHNICAL AND ACTUARIAL ANALYSIS FROM ORGANIZATIONS WITH RELEVANT EXPERTISE IN MATTERS RELATED TO EMPLOYEE RETIREMENT.”;

in line 17, strike “(e)” and substitute “(f)”; in the same line, strike “Workgroup” and substitute “Task Force”; in line 18, strike “Workgroup” and substitute “Task Force”; in line 21, strike “(f)” and substitute “(g)”; and in the same line, strike “Workgroup” and substitute “Task Force”.

On page 12, in line 5, strike “(g)” and substitute “(h)”; in the same line, strike “Workgroup” and substitute “Task Force”; strike in their entirety lines 8 through 18, inclusive; in line 19, strike “5.” and substitute “2.”; in line 20, strike “Section 3 of this Act” and substitute “It”; and in line 22, strike “Section 3 of”.

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 BUDGET AND TAXATION REPORT #24

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 184 – Delegates Lafferty, Beidle, Bromwell, Cardin, Haddaway–Riccio, Hershey, Holmes, Jacobs, Luedtke, McIntosh, Niemann, O’Donnell, Otto, S. Robinson, and Stein

AN ACT concerning

Income Tax Credit – Oyster Shell Recycling**HB0184/309936/1**

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 184

(Third Reading File Bill)

On page 1, strike beginning with “providing” in line 9 down through “Act;” in line 11; and strike in their entirety lines 13 through 17, inclusive.

On page 2, strike in their entirety lines 5 through 11, inclusive.

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:

House Bill 229 – The Speaker (By Request – Administration) and Delegates Braveboy, Davis, Frush, Gaines, Griffith, Healey, Holmes, Howard, Hubbard, Ivey, Pena–Melnyk, V. Turner, Valderrama, Valentino–Smith, Vaughn, Walker, and A. Washington

AN ACT concerning

State Aid for Public Education – Certification of Net Taxable Income

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:

House Bill 232 – Delegates Vitale, Costa, George, Kipke, McConkey, O’Donnell, Schuh, and Wilson

AN ACT concerning

Sales and Use Tax – Exemption – Parent–Teacher Organization Fundraisers

HB0232/949735/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 232
(Third Reading File Bill)

On page 1, in line 7, strike “nonprofit”.

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 with amendments:

House Bill 380 – Delegates Barve, Anderson, Barnes, Bohanan, Bromwell, Cardin, Carter, Clagett, Clippinger, Costa, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Haynes, Hixson, Hubbard, Ivey, Jones, Kach, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, Malone, McHale, McIntosh, A. Miller, Mitchell, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Oaks, Olszewski, Pena–Melnik, Pendergrass, S. Robinson, Rosenberg, Simmons, Summers, F. Turner, Valderrama, Waldstreicher, M. Washington, ~~and Zucker~~ Zucker, and McMillan

AN ACT concerning

Income Tax – Joint Returns – Married Couples

HB0380/279930/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 380
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “return:” insert “authorizing certain married individuals who meet certain requirements to use the head of household filing status”

for a certain purpose;”; in line 7, after “return;” insert “making a technical correction;”; and in line 15, after “Section” insert “10–105(c) and”.

AMENDMENT NO. 2

On page 2, after line 4, insert:

“10–105.

(c) For a [husband and wife] MARRIED COUPLE filing a joint income tax return, the rates specified in subsection (a) of this section apply to the joint Maryland taxable income of the [husband and wife] MARRIED COUPLE.”;

in line 6, after “(A)” insert “(1)”; in the same line, strike “A” and substitute “SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A”; and after line 10, insert:

“(2) A MARRIED INDIVIDUAL WHO MEETS THE REQUIREMENTS FOR HEAD OF HOUSEHOLD FILING STATUS UNDER § 2(B) AND (C) OF THE INTERNAL REVENUE CODE MAY USE THAT FILING STATUS FOR THE PURPOSE OF FILING A MARYLAND INCOME TAX RETURN.”.

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 with amendments:

House Bill 560 – The Speaker (By Request – Administration) and Delegates Bohanan, Busch, Cardin, Clagett, Conway, Gaines, Griffith, Guzzone, Healey, Hixson, Howard, James, Lafferty, McIntosh, Mitchell, and Zucker

AN ACT concerning

Public–Private Partnerships

HB0560/379036/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 560
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “reports;” insert “requiring certain public–private partnerships to be listed in the annual capital budget or the Consolidated Transportation Program;”; in line 13, after “reports;” insert “authorizing, under certain circumstances, certain legislative committees to request additional time to review the presolicitation report;”; and in line 15, after “circumstances;” insert “prohibiting the Board of Public Works from approving a public–private partnership that results in the State exceeding certain debt affordability guidelines;”.

AMENDMENT NO. 2

On page 5, in line 10, strike “A”; strike beginning with “PROJECT” in line 11 down through “**21.01.03.03(D)**” in line 11 and substitute “UNDER 21.01.03.03(B)(1)(D)”; and in line 12, after “REGULATIONS” insert “THAT IS NOT A PUBLIC–PRIVATE PARTNERSHIP AS DEFINED UNDER PARAGRAPH (1) OF THIS SUBSECTION”.

AMENDMENT NO. 3

On page 9, after line 14, insert:

“(D) ALL EXISTING PUBLIC–PRIVATE PARTNERSHIPS AND ANY PUBLIC–PRIVATE PARTNERSHIP THAT IS EXPECTED TO BE SOLICITED SHALL BE LISTED ANNUALLY AS APPROPRIATE IN THE ANNUAL CAPITAL BUDGET OR THE CONSOLIDATED TRANSPORTATION PROGRAM.”

AMENDMENT NO. 4

On page 9, after line 30, insert:

“(D) THE BOARD OF PUBLIC WORKS MAY NOT APPROVE A PUBLIC–PRIVATE PARTNERSHIP THAT RESULTS IN THE STATE EXCEEDING ITS DEBT AFFORDABILITY GUIDELINES.”

AMENDMENT NO. 5

On page 10, in line 15, after “(2)” insert “(I)”; after line 17, insert:

“(II) 1. IF THE TOTAL VALUE OF A PROPOSED PUBLIC-PRIVATE PARTNERSHIP REPORTED IN THE PRESOLICITATION REPORT UNDER PARAGRAPH (B)(1) OF THIS SUBSECTION EXCEEDS \$500,000,000, THE BUDGET COMMITTEES MAY REQUEST AN ADDITIONAL 15 DAYS TO REVIEW AND COMMENT ON THE PRESOLICITATION REPORT.

2. THE REQUEST FOR ADDITIONAL TIME UNDER THIS SUBPARAGRAPH SHALL:

A. BE MADE IN WRITING TO THE GOVERNOR, THE DEPARTMENT OF BUDGET AND MANAGEMENT, AND THE REPORTING AGENCY; AND

B. INCLUDE THE REASON FOR THE REQUEST AND ANY PRELIMINARY ISSUES THE BUDGET COMMITTEES HAVE.”;

in line 21, after “ANTICIPATED” insert “VALUE OF THE PROPOSED PUBLIC-PRIVATE PARTNERSHIP,”; in line 22, after “STATE” insert a comma; and strike in their entirety lines 31 through 34, inclusive, and substitute:

“(IV) INCLUDE, IF RELEVANT AND TO THE EXTENT POSSIBLE, THE FOLLOWING INFORMATION PREPARED BY THE REPORTING AGENCY, IN CONSULTATION WITH THE DEPARTMENT OF BUDGET AND MANAGEMENT:

1. A PRELIMINARY ANALYSIS ON DEBT AFFORDABILITY;

2. A PRELIMINARY SUMMARY OF THE PROPOSED SOLICITATION PROCESS; AND

3. A STATEMENT OF INTENTION TO USE THE EXEMPTION FROM THE REQUIREMENTS OF DIVISION II OF THIS ARTICLE SET FORTH IN § 11-203 OF THIS ARTICLE;”.

AMENDMENT NO. 6

On page 11, in line 7, strike “~~45-DAY~~”; in line 17, strike “~~COMMITTEES HAVE HAD 45 DAYS TO~~” and substitute “COMMITTEES”; and in line 18, after “COMMENT” insert “PERIOD”.

AMENDMENT NO. 7

On page 12, strike beginning with the first comma in line 13 down through “PROCESS” in line 14.

AMENDMENT NO. 8

On page 13, in line 7, strike “DAYS” and substitute “DAYS”.

AMENDMENT NO. 9

On page 16, strike beginning with “SEALED” in line 31 down through “PROCESS” in line 32 and substitute “SOLICITATION PROCESS AS DESCRIBED UNDER SUBTITLE 2 OF THIS TITLE”.

AMENDMENT NO. 10

On page 17, in line 3, strike “~~10A-201(B)~~” and substitute “10A-203(B)”; and in line 8, strike “~~BID OR COMPETITIVE SEALED PROPOSAL~~”.

AMENDMENT NO. 11

On page 18, strike in their entirety lines 6 through 10, inclusive, and substitute:

“(10) THE TERMS AND CONDITIONS FOR AUDITS BY THE STATE, INCLUDING THE OFFICE OF LEGISLATIVE AUDITS, RELATED TO THE AGREEMENT’S FINANCIAL RECORDS AND PERFORMANCE;”.

AMENDMENT NO. 12

On page 22, strike in their entirety lines 20 and 21, and substitute:

“SECTION 3. AND BE IT FURTHER ENACTED, That this Act is intended to be prospective only and shall apply to public-private partnerships established on or after the effective date of this Act. Further provided that, nothing in this Act may be construed to apply to, authorize, or have any effect on an existing procurement, lease, sale or development agreement, and nothing in this Act is intended to affect or alter any pending litigation.”.

The preceding 12 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:

House Bill 646 – Montgomery County Delegation

AN ACT concerning

**Gaming – Instant Ticket Lottery Machines – Veterans’ Organizations
MC 5–13**

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:

House Bill 718 – Delegate Serafini

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

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:

**House Bill 752 – Chair, Ways and Means Committee (By Request –
Departmental – Lottery)**

EMERGENCY BILL

AN ACT concerning

Video Lottery Gaming – Term of License

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:

House Bill 831 – Delegate Bohanan

AN ACT concerning

St. Mary’s College of Maryland – Tuition Freeze and DeSousa–Brent Scholars Completion Grant

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #25

CONSENT CALENDAR #55

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 253 – Washington County Delegation

AN ACT concerning

Washington County – Amusement Devices – Tip Jars

HB0253/589535/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 253

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “sticker;” insert “repealing a certain limit on the maximum amount a tip jar licensee may retain from gross profits;”.

AMENDMENT NO. 2

On page 6, in line 33, strike “the lesser of \$45 or”.

AMENDMENT NO. 3

On page 7, in line 19, strike “October” and substitute “July”.

The preceding 3 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:

House Bill 263 – Delegate Lafferty

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:

House Bill 523 – Delegates Myers, Afzali, Boteler, Hogan, Jacobs, Krebs, McComas, McConkey, W. Miller, Norman, Otto, Schulz, Serafini, Smigiel, and Stocksdale

AN ACT concerning

Short-Term Rental of Motorcycles

HB0523/799637/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 523

(Third Reading File Bill)

On page 1, in line 2, after “Motorcycles” insert “– Sales and Use Tax and Motor Vehicle Law”.

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 with amendments:

House Bill 902 – Delegate Guzzone

AN ACT concerning

State Police Retirement System – Reemployment of Retirees

HB0902/189838/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 902

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 8 down through “reemployment;” in line 10.

AMENDMENT NO. 2

On page 3, strike beginning with “**(1)**” in line 26 down through “**UNIT.**” in line 30.

On page 4, in line 1, strike “**(2)**”.

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:

House Bill 1024 – Delegate McDermott

AN ACT concerning

Employees’ Pension System – Elected or Appointed Officials – ~~Optional~~ Membership

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:

House Bill 1360 – Delegate George

AN ACT concerning

Maryland Income Tax Refund – Anne Arundel County Warrant Intercept Program – Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #25

CONSENT CALENDAR #54

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 83	FAV	The Spkr (Md Jud)	Judgeships – Court of Special Appeals, Circuit Courts, and District Court (Joint Referral JPR/B&T)*
HB 396	FAV	Del Cardin, et al	Criminal Law – Misuse of Interactive Computer Service (Grace’s Law)
HB 442	FAV	Del Dumais	Criminal History Records Checks – Child Care Providers
HB 1394	FAV	Del Impallaria	Harford County – Appointment of Fire Company Members as Deputy Sheriffs – Number

* Bill has received consideration by both committees.

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #26

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 40 – Delegate Carr

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 244 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services – Department of Public Safety and Correctional Services – Subpoena Power

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 245 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Substance–Exposed Newborns

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 247 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

**Criminal Procedure – Criminal Justice Information System Central
Repository – Administration**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 254 – Allegany County Delegation

AN ACT concerning

**Allegany County – Criminal Procedure – Custody of Arrested Persons Before
Release**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 255 – Allegany County Delegation

AN ACT concerning

Allegany County – Correctional Officers’ Bill of Rights

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 257 – St. Mary’s County Delegation

AN ACT concerning

**St. Mary’s County – ~~Adult Protective Services~~ Public Guardianship Review
Board – Membership Requirements**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 292 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Public Safety – Statewide DNA Data Base System – DNA Sample Collection on Arrest – Reporting Requirement and Repeal of Sunset

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 338 – Delegates Clippinger, Anderson, and Summers

AN ACT concerning

Criminal Law – Robbery – Charging Document

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 374 – Delegates Malone, Glenn, Frush, and Norman

AN ACT concerning

Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities

Favorable report adopted.

FLOOR AMENDMENT

HB0374/533721/1

BY: Senator Stone

AMENDMENT TO HOUSE BILL 374
(Third Reading File Bill)

On page 2, in line 28, strike “July” and substitute “October”.

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:

House Bill 428 – Delegates K. Kelly, Dumais, and Simmons

AN ACT concerning

**Child Abuse and Neglect – Reports and Records – Disclosure to Public
Institutions of Higher Education**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 443 – Delegate Dumais

AN ACT concerning

Criminal History Records Checks – Informal Child Care Providers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 467 – Allegany County Delegation

AN ACT concerning

**Allegany County – Roadside Solicitation of Money or Donations – Permit
Duration**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 725 – Delegates McMillan, Frick, and A. Kelly

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:

**House Bill 804 – Delegates Huckler, Carr, Cullison, Donoghue, A. Kelly,
Reznik, and Tarrant**

AN ACT concerning

**Employment Discrimination – Reasonable Accommodations for Disabilities
Due to Pregnancy**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1349 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Sheriff – ~~Salary Increase~~ Compensation and Salaries
PG 319–13**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1406 – Howard County Delegation

AN ACT concerning

**Howard County – Sheriff – Salary Increases
Ho. Co. 13–13**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1407 – Howard County Delegation

AN ACT concerning

**Howard County – Orphans’ Court Judges – Salary
Ho. Co. 12–13**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #27

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

**Senate Bill 701 – Senators Jones–Rodwell, Frosh, Currie, Forehand,
McFadden, Muse, and Pugh**

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

SB0701/688279/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 701

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “request that” and substitute “petition the court to shield certain”; in line 4, strike “be shielded”; in line 7, after “shielding;” insert “providing that a person may shield only one stand-alone conviction or unit of convictions per lifetime;”; strike beginning with “prohibiting” in line 15 down through “exception;” in line 18; and strike beginning with “establishing” in line 27 down through “Act;” in line 28.

On pages 1 and 2, strike beginning with “a” in line 30 on page 1 down through “law” in line 2 on page 2 and substitute “a certain conviction”.

AMENDMENT NO. 2

On page 2, after line 30, insert:

“(F) “SHIELDABLE CONVICTION” MEANS A CONVICTION OF ONE OF THE FOLLOWING CRIMES, COMMITTED BY AN INDIVIDUAL UNDER THE AGE OF 26 YEARS:

(1) POSSESSION OF MARIJUANA UNDER § 5-601 OF THE CRIMINAL LAW ARTICLE;

(2) USE OF OR POSSESSION WITH INTENT TO USE DRUG PARAPHERNALIA UNDER § 5-619(C)(1) OF THE CRIMINAL LAW ARTICLE;

(3) DISTURBING THE PEACE UNDER § 10-201(C)(4) OF THE CRIMINAL LAW ARTICLE;

(4) THEFT UNDER \$100 UNDER § 7-104(G)(3) OF THE CRIMINAL LAW ARTICLE;

(5) TRESPASS ON POSTED PROPERTY UNDER § 6-402 OF THE CRIMINAL LAW ARTICLE;

(6) MALICIOUS DESTRUCTION OF PROPERTY CAUSING DAMAGE OF LESS THAN \$500 UNDER § 6-301 OF THE CRIMINAL LAW ARTICLE;

(7) FAILURE TO APPEAR IN RESPONSE TO A CITATION UNDER § 5-212 OF THIS ARTICLE;

(8) PUBLIC INTOXICATION UNDER ARTICLE 2B, § 19-101 OF THE CODE;

(9) A PROSTITUTION OFFENSE UNDER § 11-306 OF THE CRIMINAL LAW ARTICLE;

(10) LITTERING IN AN AMOUNT NOT EXCEEDING 100 POUNDS UNDER § 10–110 OF THE CRIMINAL LAW ARTICLE;

(11) POSSESSION OF AN ALCOHOLIC BEVERAGE IN AN OPEN CONTAINER UNDER ARTICLE 2B, § 19–301 OF THE CODE;

(12) DRINKING ON PUBLIC PROPERTY UNDER ARTICLE 2B, § 19–202 OF THE CODE;

(13) CONFINEMENT OF AN UNATTENDED CHILD UNDER § 5–801 OF THE FAMILY LAW ARTICLE;

(14) OBTAINING PROPERTY OR SERVICES WITH A VALUE OF LESS THAN \$100 BY BAD CHECK UNDER § 8–103(B) OF THE CRIMINAL LAW ARTICLE;

(15) OBTAINING PROPERTY WITH A VALUE OF LESS THAN \$100 WITH A STOLEN OR COUNTERFEIT CREDIT CARD UNDER § 8–206(A) OF THE CRIMINAL LAW ARTICLE;

(16) A TICKET SCALPING OFFENSE UNDER ANY STATE OR LOCAL LAW; OR

(17) FAILURE TO COMPLY WITH A LAWFUL ORDER OF A NATURAL RESOURCES POLICE OFFICER UNDER § 1–206 OF THE NATURAL RESOURCES ARTICLE.

(G) “UNIT” MEANS TWO OR MORE CONVICTIONS THAT ARISE FROM THE SAME INCIDENT, TRANSACTION, OR SET OF FACTS.”.

AMENDMENT NO. 3

On page 2, in line 32, strike the colon.

On page 3, strike beginning with “(1)” in line 1 down through “(3)” in line 4; in line 10, after “STATUTORY” insert “OR CONTRACTUAL”; in line 11, strike “STATUTORY”; in line 14, strike “EMPLOYEE’S OR EMPLOYER’S” and substitute

“INDIVIDUAL’S”; in the same line, after “§ 5-561” insert “(B), (C), (D), (E), (F), OR (G)”; in line 15, strike “AND”; and in line 17, after “ATTORNEY” insert “; AND

(5) HEALTH OCCUPATIONS BOARDS.

AMENDMENT NO. 4

On page 3, strike beginning with “REQUEST” in line 20 down through “SHIELDED” in line 21 and substitute “PETITION THE COURT TO SHIELD THE PERSON’S COURT AND POLICE RECORDS RELATING TO A SHIELDABLE CONVICTION”; in line 21, strike “3” and substitute “5”; after line 27, insert:

“(C) (1) A PERSON MAY SHIELD ONLY ONE STAND-ALONE CONVICTION OR ONE UNIT OF CONVICTIONS PER LIFETIME.

(2) IF A PERSON IS NOT ENTITLED TO SHIELDING OF ONE CONVICTION IN A UNIT, THE PERSON IS NOT ENTITLED TO SHIELDING OF ANY OTHER CONVICTION IN THE UNIT.”;

and in line 28, strike “(C)” and substitute “(D)”.

On page 4, strike beginning with “EXCEPT” in line 14 down through “(2)” in line 22; and in line 29, strike “(3) A” and substitute “**(2) EXCEPT AS PROVIDED IN § 10-302(B) OF THIS SUBTITLE, A**”.

On page 5, strike in their entirety lines 9 through 16, inclusive.

The preceding 4 amendments were read only.

Senator Astle moved, duly seconded, to make the Bill and Amendments a Special Order for April 4, 2013.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 1006 – Delegates Anderson, Waldstreicher, Braveboy, Carter, Conaway, Dumais, Haynes, Ivey, Swain, Valderrama, and M. Washington

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

HB1006/218474/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1006

(Third Reading File Bill)

On page 3, strike beginning with “HARASSMENT” in line 22 down through “ARTICLE” in line 23 and substitute “A PROSTITUTION OFFENSE UNDER § 11-306 OF THE CRIMINAL LAW ARTICLE”.

On page 4, strike beginning with “FAILING” in line 8 down through “ARTICLE” in line 9 and substitute “A TICKET SCALPING OFFENSE UNDER ANY STATE OR LOCAL LAW”.

The preceding amendment was read only.

Senator Raskin moved, duly seconded, to make the Bill and Amendment a Special Order for April 4, 2013.

The motion was adopted.

THE COMMITTEE ON FINANCE REPORT #28

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

Senate Bill 1072 – Senator Middleton

AN ACT concerning

Linked Deposit Programs for Small Businesses and Minority Business Enterprises

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #29

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

House Bill 364 – Delegates ~~Hucker and Feldman~~, Feldman, Bromwell, Cullison, and Pena-Melnyk

AN ACT concerning

**Swimming Pools – Automated External Defibrillator Programs
(Connor’s Law)**

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:

House Bill 420 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Payment of Tolls

HB0420/827274/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 420

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 9 down through “violators;” in line 10.

AMENDMENT NO. 2

On page 7, in line 13, after “LAW;” insert “AND”; and strike beginning with the semicolon in line 15 down through “AUTHORITY” in line 18.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB0420/843124/1

BY: Senator Pugh

AMENDMENTS TO HOUSE BILL 420

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike in their entirety lines 2 through 6, inclusive.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 4 through 13, inclusive.

The preceding 2 amendments were read and adopted.Read the second time and ordered prepared for Third Reading.

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

**House Bill 431 – Chair, Economic Matters Committee (By Request –
Departmental – Insurance Administration, Maryland)**

AN ACT concerning

**Insurance – Maryland Insurance Acquisitions Disclosure and Control Act –
Revisions**Favorable report adopted.Read the second time and ordered prepared for Third Reading.

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

**House Bill 797 – Delegates McIntosh, Frush, ~~and S. Robinson~~ S. Robinson,
Beidle, Carr, Kipke, McMillan, Norman, and Weir**

AN ACT concerning

Transportation Projects – ~~Bridges~~ Transportation Facilities – Water AccessFavorable report adopted.Read the second time and ordered prepared for Third Reading.

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

House Bill 1127 – Delegates Jameson, Barkley, Bates, Costa, Davis, Guzzone, Hershey, Hixson, Howard, Impallaria, W. Miller, and Ready

AN ACT concerning

Commercial Law – Self-Service Storage Facilities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

CONCURRENCE CALENDAR #3

AMENDED IN THE HOUSE

Senate Bill 419 – Senators Frosh, Conway, Gladden, Madaleno, Pinsky, Raskin, ~~and Rosapepe~~ Rosapepe, and Muse

AN ACT concerning

Civil Actions – Examination in Aid of Enforcement – Procedure After Arrest for Failure to Appear

Senator Frosh moved that the Senate not concur in the House amendments.

SB0419/932717/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 419

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Examination” insert “Interrogatories or”; in line 3, after “Appear” insert “to Show Cause”; in line 8, after “a” insert “certain”; and strike beginning with “of” in line 8 down through “circumstances” in line 10.

AMENDMENT NO. 2

On page 2, in line 1, strike “(A)”; and strike in their entirety lines 13 through 18, inclusive.

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0419

SPONSOR: Sen Frosh, et al

SUBJECT: Civil Actions – Examination in Aid of Enforcement – Procedure After Arrest for Failure to Appear

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Gladden, Chairman

Senator Stone

Senator Frosh.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

CONCURRENCE CALENDAR #4

AMENDED IN THE HOUSE

**Senate Bill 160 – Senators Frosh, Brochin, Gladden, Raskin, ~~and Stone~~ Stone,
and Manno**

EMERGENCY BILL

AN ACT concerning

**Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable
Presumption**

Senator Frosh moved that the Senate not concur in the House amendments.

SB0160/922917/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 160
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “providing” in line 6 down through “evidence;” in line 8; and in line 9, strike “owners of real property and certain other”.

AMENDMENT NO. 2

On page 2, in line 3, strike “**(1)**”; and strike in their entirety lines 8 through 12, inclusive.

AMENDMENT NO. 3

On page 2, strike beginning with the second “AN” in line 13 down through “ASSOCIATION,” in line 17 and substitute “A PERSON OTHER THAN AN OWNER OF A DOG”; in line 18, strike “A” and substitute “THE”; and strike beginning with “THE” in line 20 down through “PROPERTY” in line 21 and substitute “THE PERSON”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0160

SPONSOR: Sen Frosh, et al

SUBJECT: Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Raskin, Chairman
Senator Zirkin
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #2

AMENDED IN THE HOUSE

Senate Bill 473 – Senator Jones–Rodwell (By Request – Baltimore City Administration)

AN ACT concerning

Baltimore City – Children – Records Access

Senator Frosh moved that the Senate concur in the House amendments.

SB0473/462910/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 473

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 4, 7, 9 and 10, 12, 15, 17 and 18, and 24, in each instance, strike “Office of Youth Violence Prevention in the”; in lines 5, 8, 10, 13, 16, and 18, in each instance, strike “Department” and substitute “Department’s Office of Youth Violence Prevention”; in line 6, after “circumstances;” insert “requiring that the Baltimore City Health Department’s Office of Youth Violence Prevention and the Baltimore City Mayor’s Office on Criminal Justice be liable for the unauthorized release of certain records and information; requiring the Baltimore City Health Department’s Office of Youth Violence Prevention and the Baltimore City Mayor’s Office on Criminal Justice to submit a certain report within a certain period of time;”; and strike beginning with “providing” in line 20 down through “releases;” in line 22.

On page 2, in line 1, strike “Department” and substitute “Department’s Office of Youth Violence Prevention”; and in line 15, strike “1-202(b-1)” and substitute “1-202(f)”.

AMENDMENT NO. 2

On page 3 in lines 4, 6 and 7, and 29, on page 4 in lines 10 and 12 and 13, on page 6 in lines 28 and 29 and 30 and 31, on page 7 in line 20, on page 9 in lines 3 and 4 and 5 and 6, on page 10 in lines 4, 15, 18, and 24 and 25, and on page 11 in line 1, in each instance, strike “OFFICE OF YOUTH VIOLENCE PREVENTION IN THE”.

On page 9, in line 33, strike “OFFICE OF YOUTH VIOLENCE”.

On page 10, in line 1, strike “PREVENTION IN THE”.

On page 3 in lines 5 and 7, on page 4 in lines 11 and 13, on page 6 in lines 29 and 31, on page 9 in lines 4 and 6, on page 10 in lines 1, 5, 16, and 26, and on page 11 in line 2, in each instance, strike “DEPARTMENT” and substitute “DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION”.

On page 3 in line 30 and on page 10 in line 19, in each instance, strike “DEPARTMENT” and substitute “DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION”.

AMENDMENT NO. 3

On page 3, strike beginning with “THE” in line 26 down through “(II)” in line 29; in line 31, strike “REVIEWED UNDER PARAGRAPH” and substitute “IT REVIEWS UNDER”; in line 32, strike “(2) OF”; and after line 32, insert:

“(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION REVIEWS A COURT RECORD UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL SUBMIT A REPORT TO THE COURT DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.”

On page 3 in lines 13 and 14 and on page 4 in lines 19 and 20, in each instance, strike “, OR A CHILD ADJUDICATED DELINQUENT FOR,”.

On page 5, after line 5, insert:

“(3) (I) THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A POLICE RECORD IT ACCESSES UNDER THIS SUBSECTION.

(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE ACCESSES A POLICE RECORD UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE COURT DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.”

On page 7, strike beginning with “**THE**” in line 17 down through “**(II)**” in line 20; in line 21, strike “**DEPARTMENT**” and substitute “**DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE**”; in line 22, strike “**PROVIDED**” and substitute “**IT ACCESSES**”; in lines 22 and 23, strike “**PARAGRAPH (7) OF**”; and strike in their entirety lines 24 through 29, inclusive, and substitute:

“(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE ACCESSES A COURT RECORD UNDER THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE COURT DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.”

On page 9, strike in their entirety lines 18 through 24, inclusive; and after line 30, insert:

“(F) (1) THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF A REPORT OR RECORD UNDER SUBSECTION (B) OF THIS SECTION.

(2) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION RECEIVES A REPORT OR RECORD UNDER SUBSECTION (B) OF THIS SECTION, THE BALTIMORE CITY HEALTH DEPARTMENT SHALL SUBMIT A REPORT TO THE DEPARTMENT OF HUMAN RESOURCES DETAILING THE PURPOSES FOR WHICH THE RECORD WAS USED.”.

On page 10, in line 20, strike “A RECORD” and substitute “INFORMATION”; and after line 21, insert:

“(3) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION RECEIVES A CONFIDENTIAL RESEARCH RECORD UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION SHALL SUBMIT A REPORT TO THE DEPARTMENT DETAILING THE PURPOSES FOR WHICH THE CONFIDENTIAL RECORD WAS USED.”.

On page 11, in lines 4 and 13, in each instance, after the semicolon insert “AND”; in lines 7 and 17, in each instance, strike “; AND” and substitute a period; strike in their entirety lines 8 and 9; and strike in their entirety lines 18 and 19 and substitute:

“(4) (I) THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL BE LIABLE FOR THE UNAUTHORIZED RELEASE OF INFORMATION PROVIDED TO IT UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(II) WITHIN 180 DAYS AFTER THE BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE REVIEWS THE INFORMATION PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE

BALTIMORE CITY HEALTH DEPARTMENT’S OFFICE OF YOUTH VIOLENCE PREVENTION OR THE BALTIMORE CITY MAYOR’S OFFICE ON CRIMINAL JUSTICE SHALL SUBMIT A REPORT TO THE DEPARTMENT DETAILING THE PURPOSES FOR WHICH THE INFORMATION WAS USED.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 958)

AMENDED IN THE HOUSE

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**

Senator Frosh moved that the Senate concur in the House amendments.

SB0640/862410/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 640

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Repeal” and substitute “Extension”; and in line 4, strike “repealing” and substitute “extending”.

AMENDMENT NO. 2

On page 3, in lines 23 and 25, in each instance, strike the bracket; in line 23, strike “3” and substitute “8”; and in line 24, strike “2013” and substitute “2018”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 959)

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

Senate Bill 482 – Senator Manno

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0482/109335/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 482

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “altering” in line 6 down through “year;” in line 8 and substitute “authorizing an individual or corporation to claim as a credit against the State income tax certain rental expenses under certain circumstances;”; and in line 12, strike “(b) and (c)(2)(i)”.

AMENDMENT NO. 2

On page 1, after line 18, insert:

“(a) (1) In this section the following words have the meanings indicated.

(2) “Costs” means the costs to an individual or corporation for:

(i) security clearance administrative expenses incurred with regard to an employee in the State including, but not limited to:

1. processing application requests for clearances for employees in the State;

2. maintaining, upgrading, or installing computer systems in the State required to obtain federal security clearances; and

3. training employees in the State to administer the application process; and

(ii) construction and equipment costs incurred to construct or renovate a sensitive compartmented information facility (“SCIF”) located in the State as required by the federal government.

(3) “Department” means the Department of Business and Economic Development.

(4) “Secretary” means the Secretary of Business and Economic Development.

(5) “SMALL BUSINESS” HAS THE MEANING STATED IN § 7-218 OF THIS ARTICLE.”;

in line 23, strike “and”; and after line 23, insert:

“(2) EXPENSES INCURRED FOR RENTAL PAYMENTS OWED DURING THE FIRST YEAR OF A RENTAL AGREEMENT FOR SPACES LEASED IN THE STATE IF THE INDIVIDUAL OR CORPORATION IS A SMALL BUSINESS THAT PERFORMS SECURITY-BASED CONTRACTING, NOT TO EXCEED \$200,000; AND”.

On page 2, in line 1, strike “(2)” and substitute “**(3)**”; after line 7, insert:

“(c) (1) By September 15 of the calendar year following the end of the taxable year in which the costs were incurred, an individual or a corporation shall submit an application to the Department for the credits allowed under subsection [(b)(1) and (2)] **(B)** of this section.”;

in line 8, strike “(c)”; in line 9, strike the opening bracket; in the same line, strike “**]** \$4,000,000”; and after line 10, insert:

“(ii) If the total amount of credits applied for by all individuals and corporations under subsection (b) of this section exceeds the maximum specified under subparagraph (i) of this paragraph, the Department shall approve a credit under subsection (b) of this section for each applicant in an amount equal to the product of multiplying the credit applied for by the applicant times a fraction:

1. the numerator of which is the maximum specified under subparagraph (i) of this paragraph; and

2. the denominator of which is the total of all credits applied for by all applicants under subsection (b) of this section in the calendar year.

(3) By December 15 of the calendar year following the end of the taxable year in which the costs were incurred, the Department shall certify to the individual or corporation the amount of tax credits approved by the Department for the individual or corporation under this section.

(4) To claim the approved credits allowed under this section, an individual or a corporation shall:

(i) file an amended income tax return for the taxable year in which the costs were incurred; and

(ii) attach a copy of the Department’s certification of the approved credit amount to the amended income tax return.

(d) If the credit allowed for any taxable year under this section exceeds the total tax otherwise due, an individual or corporation may apply the excess as a credit against the State income tax for succeeding taxable years until the full amount of the excess is used.

(e) The Department, in consultation with the Comptroller, shall adopt regulations to carry out the provisions of this section.

(f) On or before December 31 of each year, the Department shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the number of credits certified in the previous calendar year.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 101 – The Speaker (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**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (20) AND THE FAVORABLE REPORT.

REPORT OF THE SENATE BUDGET AND TAXATION COMMITTEE
TO THE SENATE OF MARYLAND – 2013 SESSION –
RECOMMENDATIONS, REDUCTIONS, AND SUMMARY OF ACTION
PERTAINING TO HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit G of Appendix III)

SENATE BUDGET AND TAXATION
COMMITTEE REPRINT TO HOUSE BILL 101 – THE CAPITAL BUDGET

(See Exhibit H of Appendix III)

Committee amendment 1 was read and adopted.

Committee amendments 2 through 6 were read and adopted.

Committee amendments 7 through 9 were read and adopted.

Committee amendments 10 through 20 were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator DeGrange moved, duly seconded, to put **House Bill 101** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 960)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 101** on Third Reading and Final Passage.

House Bill 101 – The Speaker (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

STATUS OF BILL: BILL ON 3RD READING.

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 961)

The Bill was then sent to the House of Delegates.

Senate Bill 479 – Senators Gladden and Forehand

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 24 Negative – 22 (See Roll Call No. 962)

The Bill was then sent to the House of Delegates.

House Bill 1337 – Delegates Griffith, Bohanan, Guzzone, Jones, Mizeur, Proctor, Tarrant, ~~and Zucker~~ Zucker, Hammen, Cullison, A. Kelly, Murphy, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, and V. Turner

AN ACT concerning

Maryland Public Art Initiative Program – ~~Revisions~~ Selection of Art for Capital Projects

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Brinkley moved, duly seconded, to make the Bill and Report a Special Order for April 5, 2013.

The motion was adopted.

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT, AS AMENDED.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0592/283123/1

BY: Senator Colburn

AMENDMENTS TO SENATE BILL 592

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “circumstances;” insert “exempting a certain food retailer, food service facility, or food service supplier from the prohibition against possessing, selling, offering for sale, trading, or distributing a shark fin under certain circumstances;”.

AMENDMENT NO. 2

On page 1, in line 20, after “(2)” insert ““FOOD RETAILER” MEANS A GROCERY STORE, MARKET, OR SIMILAR ESTABLISHMENT THAT SELLS FOOD AT RETAIL TO THE GENERAL PUBLIC FOR OFF-PREMISES CONSUMPTION.

(3) “FOOD SERVICE FACILITY” HAS THE MEANING STATED IN § 21-301 OF THE HEALTH – GENERAL ARTICLE.

(4) “FOOD SERVICE SUPPLIER” MEANS AN ENTITY THAT SELLS FOOD AT WHOLESALE TO A FOOD SERVICE FACILITY OR FOOD RETAILER.

(5)".

On page 2, in line 3, strike "**(3)**" and substitute "**(6)**"; in line 5, strike "AND" and substitute a comma; in the same line, after "**(3)**" insert ", AND (4)"; and after line 17, insert:

"(4) A FOOD SERVICE FACILITY, FOOD RETAILER, OR FOOD SERVICE SUPPLIER MAY POSSESS, SELL, OFFER FOR SALE, TRADE, OR DISTRIBUTE A SHARK FIN IF:

(i) 1. THE SHARK FIN IS OF DOMESTIC ORIGIN AND FROM A SHARK THAT WAS TAKEN OR LANDED BY A PERSON WHO HOLDS THE APPROPRIATE STATE OR FEDERAL LICENSE OR PERMIT AUTHORIZING THE TAKING OR LANDING OF A SHARK FOR COMMERCIAL PURPOSES; OR

2. THE SHARK FIN IS OF FOREIGN ORIGIN AND IS IMPORTED IN A MANNER CONSISTENT WITH FEDERAL REGULATIONS AND THE FEDERAL SHARK CONSERVATION ACT OF 2010; AND

(ii) THE FOOD SERVICE FACILITY, FOOD RETAILER, OR FOOD SERVICE SUPPLIER MAINTAINS ANY DOCUMENTATION THAT IS REQUIRED BY THE DEPARTMENT TO POSSESS, SELL, OFFER FOR SALE, TRADE, OR DISTRIBUTE A SHARK FIN."

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 32 (See Roll Call No. 963)

Read the second time and ordered prepared for Third Reading.

Senate Bill 675 – Senators Manno, Benson, Forehand, Frosh, Montgomery, Pinsky, and Young

AN ACT concerning

Maryland Pesticide Reporting and Information Act

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT, AS AMENDED.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0675/443521/1

BY: Senator Colburn

AMENDMENTS TO SENATE BILL 675, AS AMENDED

AMENDMENT NO. 1

On page 1 of the Education, Health, and Environmental Affairs Committee Amendments (SB0675/654637/1), in line 8 of Amendment No. 1, after “database;” insert “prohibiting the Workgroup from including the agriculture industry in the Workgroup’s study;”.

AMENDMENT NO. 2

On page 3 of the Education, Health, and Environmental Affairs Committee Amendments, in line 17 of Amendment No. 2, after “(f)” insert “(1)”; and in line 18, strike “(1)” and substitute “(i)”.

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments, in lines 1, 3, 5, 7, 9, 11, 13, and 15 of Amendment No. 2, strike “(2)”, “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “(ii)”, “(iii)”, “(iv)”, “(v)”, “(vi)”, “(vii)”, “(viii)”, and “(ix)”, respectively; and after line 16, insert:

“(2) The Workgroup may not include the agriculture industry in the items studied under paragraph (1) of this subsection.”.

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 14 Negative – 30 (See Roll Call No. 964)

FLOOR AMENDMENT

SB0675/163021/2

BY: Senator Pipkin

AMENDMENT TO SENATE BILL 675, AS AMENDED

On page 4 of the Education, Health, and Environmental Affairs Committee Amendments (SB0675/654637/1), in line 1 of Amendment No. 2, after “(2)” insert “determine the need for a data reporting program;

(3)”;

in lines 3, 5, 7, 9, 11, 13, and 15, strike “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, and “(13)”, respectively; in line 14, strike “and”; and after line 14, insert:

“(10) study the current federal process to approve a pesticide for use;

(11) conduct a cost–benefit analysis of:

(i) implementing and maintaining a data reporting program;

and

(ii) any recommendations that will have an economic impact on

the State;

(12) study the impacts of using organic pesticides on farms; and”.

The preceding amendment was read and adopted by a roll call vote as follows:

Affirmative – 43 Negative – 1 (See Roll Call No. 965)

Read the second time and ordered prepared for Third Reading.

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

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

SB0422/487370/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 422

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “employers” insert “in all jurisdictions of the State”; in line 5, after “employees” insert “a requirement of”; in line 6, after the semicolon insert “exempting certain employees from certain requirements for paying service or representation fees; requiring certain public school employers and certain exclusive bargaining representatives to negotiate whether service or representation fees are applicable to certain employees under certain circumstances; providing for the ratification of certain contracts in certain counties by certain employees after a certain date.”; and in line 12, after “negotiations,” insert “making conforming changes; providing for the application of this Act.”.

On page 2, in line 1, after “6-407(d)” insert “, (e), and (f)”.

AMENDMENT NO. 2

On page 2, in line 9, strike “**THE**” and substitute “**SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE**”; and in line 11, strike “**REQUIRED**” and substitute “**REQUIREMENT OF A**”.

On page 3, in lines 26 and 28, in each instance, strike the bracket; in line 26, strike “In Montgomery County, an” and substitute “**AN**”; and in line 29, strike “**(6)**” and substitute “**(7)**”.

On page 5, after line 23, insert:

(D) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(E) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(I) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(II) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.

(3) THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE SHALL BE RATIFIED BY A MAJORITY OF VOTES CAST BY THE EMPLOYEES ELIGIBLE TO VOTE UNDER PARAGRAPH (2) OF THIS SUBSECTION.;

and in line 24, strike “(D)” and substitute “(F)”.

AMENDMENT NO. 3

On page 5, in line 33, strike “THE” and substitute “**SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE**”;

On page 6, in lines 21 and 23, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively.

On page 8, after line 7, insert:

“(E) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL FIRST NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(F) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(I) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(II) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.

(3) THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE SHALL BE RATIFIED BY A MAJORITY OF VOTES CAST BY THE EMPLOYEES ELIGIBLE TO VOTE UNDER PARAGRAPH (2) OF THIS SUBSECTION.”;

in line 8, strike “(E)” and substitute “(G)”; after line 12, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to require any further negotiations regarding provisions of applicability to employees based on date of hire that are contained in an implementing agreement that provided for a service or representation fee negotiated prior to July 1, 2013.”;

and in line 13, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 667 – Delegates Hixson, Arora, Barkley, Barve, Bobo, Cane, Carr, Clagett, Cullison, DeBoy, Feldman, Frick, Gilchrist, Gutierrez, Guzzone, Healey, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer, Lafferty, Luedtke, Malone, McHale, McIntosh, Minnick, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Niemann, Pendergrass, Proctor, Reznik, B. Robinson, Rosenberg, Stein, Stukes, F. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, M. Washington, Weir, and Zucker

AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

HB0667/947372/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 667

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert “exempting certain employees from certain requirements for paying service or representation fees; requiring certain public school employers and certain exclusive bargaining representatives to negotiate whether service or representation fees are applicable to certain employees under certain circumstances; providing for the ratification of certain contracts in certain counties by certain employees after a certain date;”; and in line 13, after “changes;” insert “providing for the application of this Act;”.

On page 2, in line 9, after “6-407(d)” insert “, (e), and (f)”.

AMENDMENT NO. 2

On page 2, in line 17, strike “**THE**” and substitute “**SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE**”.

On page 3, in line 34, strike “In Montgomery County, an” and substitute “**AN**”.

On page 5, after line 32, insert:

“(D) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(E) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(I) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(II) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.

(3) THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE SHALL BE RATIFIED BY A MAJORITY OF VOTES CAST BY THE EMPLOYEES ELIGIBLE TO VOTE UNDER PARAGRAPH (2) OF THIS SUBSECTION.”;

and in line 33, strike “(D)” and substitute “(F)”.

AMENDMENT NO. 3

On page 6, in line 7, strike “THE” and substitute “SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE”; and in lines 29 and 31, strike “(I)” and “(II)”, respectively, and substitute “(1)” and “(2)”, respectively.

On page 8, after line 17, insert:

“(E) WHEN NEGOTIATING THE IMPLEMENTATION OF A SERVICE OR REPRESENTATION FEE UNDER THIS SECTION, THE PUBLIC SCHOOL EMPLOYER AND THE EXCLUSIVE BARGAINING REPRESENTATIVE SHALL FIRST NEGOTIATE WHETHER THE FEE IS APPLICABLE TO CURRENT EMPLOYEES.

(F) (1) THIS SUBSECTION APPLIES TO A COUNTY IN WHICH A SERVICE OR REPRESENTATION FEE WAS NOT NEGOTIATED BEFORE JULY 1, 2013.

(2) THE FOLLOWING EMPLOYEES IN A UNIT ARE ELIGIBLE TO VOTE ON RATIFICATION OF THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE:

(I) MEMBERS OF THE EMPLOYEE ORGANIZATION; AND

(II) NONMEMBERS AFFECTED BY THE SERVICE OR REPRESENTATION FEE.

(3) THE IMPLEMENTING AGREEMENT THAT PROVIDES FOR A SERVICE OR REPRESENTATION FEE SHALL BE RATIFIED BY A MAJORITY OF

VOTES CAST BY THE EMPLOYEES ELIGIBLE TO VOTE UNDER PARAGRAPH (2) OF THIS SUBSECTION.;

in line 18, strike “(E)” and substitute “(G)”; after line 22, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That this Act may not be construed to require any further negotiations regarding provisions of applicability to employees based on date of hire that are contained in an implementing agreement that provided for a service or representation fee negotiated before July 1, 2013.”;

and in line 23, strike “2.” and substitute “3.”.

The preceding 3 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 46 Members present.

(See Roll Call No. 966)

ADJOURNMENT

At 1:25 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 30, 2013, Calendar Day, Thursday, April 4, 2013.

Annapolis, Maryland
Legislative Day: March 30, 2013
Calendar Day: Thursday, April 4, 2013
10:00 A.M. Session

The Senate met at 10:09 A.M.

Prayer by Reverend Doctor S. Todd Yeary, Douglas Memorial Community Church, guest of Senator Jones–Rodwell.

(See Exhibit A of Appendix III)

The Journal of March 29, 2013 was read and approved.

QUORUM CALL

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

(See Roll Call No. 969)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 662 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Northern High School Girls Softball Team
Calvert County
in recognition of
winning your 5th consecutive 3A State Championship, the team's ninth overall
championship and being ranked No. 2 in the nation for all high school teams in the
country. We applaud your hard work and outstanding season. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 4th day of April 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 970)

MESSAGE FROM THE HOUSE OF DELEGATES**FIRST READING OF HOUSE BILLS****House Bill 525 – Delegate Anderson (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 Rules.

House Bill 986 – Delegate Hammen

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; providing that a person that prepares and distributes sterile drug products into or within the State is not required to hold a sterile compounding permit but must hold certain other permits; authorizing the Board to waive certain requirements in accordance with regulations adopted by the Board;

establishing the requirements that must be met for a waiver to be issued; requiring the Board to post certain waivers on its Web site; requiring the Board to include certain information for each waiver posted on its Web site; providing for the duration, renewal, and rescission of a waiver; 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, by regulation, to establish permit requirements ~~in certain tiered permit categories and to require an applicant to obtain a permit in a certain category~~ based on risk; 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, with a certain exception, 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; prohibiting, with a certain exception, a person from distributing sterile drug products in the State unless the sterile drug products are produced in a facility that holds a certain permit; requiring the Board to maintain and submit to the Secretary with a certain frequency certain information relating to sterile compounding permit holders; requiring a wholesale distributor applicant or permit holder that prepares sterile drug products to submit to the Board, at certain times, a report of a certain inspection; establishing certain criminal penalties and a certain civil fine for certain violations; authorizing the Board to phase in the requirements of certain provisions of this Act, with full implementation on or before a certain date; requiring the Board to report to the Governor and the General Assembly on the implementation of certain provisions of this Act; 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”; and 12–6C–03.2

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.

House Bill 1343 – Delegates Glenn, Anderson, Bromwell, Carter, Conaway, Cullison, Frush, Hubbard, Kach, A. Kelly, Mitchell, Morhaim, Murphy, Oaks, Pena–Melnyk, Stukes, Tarrant, ~~and M. Washington~~ M. Washington, Hammen, Pendergrass, Kipke, McDonough, Nathan–Pulliam, Elliott, Frank, Ready, and V. Turner

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 legislators and 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 Rules.

House Bill 1353 – Delegates Oaks, Branch, Carter, ~~and Vaughn~~ Vaughn, Tarrant, V. Turner, Nathan–Pulliam, Pendergrass, Pena–Melnyk, and Morhaim

AN ACT concerning

Minority Business Enterprises – Participation and 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~~ 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; altering the termination date for certain provisions of law concerning the minority business enterprise program; altering the dates by which the certification agency designated by the Board of Public Works for the minority business enterprise program, in consultation with the General Assembly and the Office of the Attorney General, is required to conduct a certain study of the minority business program and submit a certain report to the Legislative Policy Committee of the General Assembly; and generally relating to minority business enterprise participation and percentage goals and subgoals for certain procurements.

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)~~

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14-302, 14-303, and 14-309
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Chapter 154 of the Acts of the General Assembly of 2012
Section 2

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

House Bill 1390 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs) and Delegates Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Ready, Tarrant, and V. Turner

AN ACT concerning

Maryland Veterans Trust and Fund – Establishment

FOR the purpose of establishing the Maryland Veterans Trust as a corporate entity; providing for the membership, terms, staffing, and reimbursement of certain expenses of the Board of Trustees of the Trust; establishing the Maryland Veterans Trust Fund and authorizing the Trust to maintain the Fund and expend money from the Fund to provide grants and loans to veterans and their families and to programs that support veterans and their families; repealing requirements for the State Treasurer to invest the money in the Fund and for any investment earnings of the Fund to be credited to the Fund; granting certain powers and duties to the Board of Trustees and the Trust, including accepting certain gifts and grants, entering into certain contracts, adopting certain bylaws, and submitting certain annual reports; authorizing the Fund to consist of certain income tax contributions; requiring money received by the Trust to be deposited in a certain manner; authorizing the Trust to establish a certain bank account and make certain investments; exempting the Trust from certain provisions of law relating to procurement; making certain provisions of this Act subject to a certain contingency; defining certain terms; and generally relating to the establishment of the Maryland Veterans Trust and Fund.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–912 and 9–913
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Government
Section 9–914 through 9–914.3
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1475 – ~~Delegates Cluster, Boteler, Bromwell, DeBoy, Impallaria, Malone, and Olszewski~~ Baltimore County Delegation

SECOND PRINTING

AN ACT concerning

Baltimore County – Correctional Officers’ Bill of Rights

FOR the purpose of adding Baltimore County to the provisions of law relating to the Cecil County, Garrett County, and St. Mary’s County Correctional Officers’ Bill of Rights; and generally relating to the Correctional Officers’ Bill of Rights.

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 11–1002
Annotated Code of Maryland
(2008 Replacement Volume and 2012 Supplement)

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

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #62

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 34 Negative – 13 (See Roll Call No. 971)

The Bill was then sent to the House of Delegates.

Senate Bill 482 – Senator Manno

AN ACT concerning

Income Tax Credit – Security Clearances – Employer Costs

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 972)

The Bill was then sent to the House of Delegates.

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 973)

The Bill was then sent to the House of Delegates.

Senate Bill 675 – Senators Manno, Benson, Forehand, Frosh, Montgomery, Pinsky, and Young

AN ACT concerning

Maryland Pesticide Reporting and Information ~~Act~~ Workgroup

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 974)

The Bill was then sent to the House of Delegates.

Senate Bill 828 – ~~Senator Madaleno~~ Senators Madaleno, Jones–Rodwell, and McFadden

AN ACT concerning

St. Mary’s College of Maryland – Tuition Freeze and DeSousa–Brent Scholars Completion Grant

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 975)

The Bill was then sent to the House of Delegates.

Senate Bill 1037 – Senators King, Brinkley, Colburn, Currie, DeGrange, Edwards, Garagiola, Jones–Rodwell, Kasemeyer, Madaleno, Manno, Middleton, Miller, Peters, ~~and Robey~~ Robey, and McFadden

AN ACT concerning

Public Safety – Response to a State Disaster or Emergency – Licensing and Taxes

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 976)

The Bill was then sent to the House of Delegates.

Senate Bill 1051 – ~~Senator Rosapepe~~ Senators Rosapepe and Jones-Rodwell

AN ACT concerning

Maryland Private Sector Employees Pension Plan ~~and Trust~~ Task Force

Read the third time and passed by yeas and nays as follows:

Affirmative – 33 Negative – 14 (See Roll Call No. 977)

The Bill was then sent to the House of Delegates.

Senate Bill 1072 – Senator Middleton

AN ACT concerning

Linked Deposit Programs for Small Businesses and Minority Business Enterprises

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 978)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #15

House Bill 184 – Delegates Lafferty, Beidle, Bromwell, Cardin, Haddaway-Riccio, Hershey, Holmes, Jacobs, Luedtke, McIntosh, Niemann, O'Donnell, Otto, S. Robinson, and Stein

AN ACT concerning

Income Tax Credit – Oyster Shell Recycling

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 979)

The Bill was then sent to the House of Delegates.

House Bill 229 – The Speaker (By Request – Administration) and Delegates Braveboy, Davis, Frush, Gaines, Griffith, Healey, Holmes, Howard, Hubbard, Ivey, Pena–Melnyk, V. Turner, Valderrama, Valentino–Smith, Vaughn, Walker, and A. Washington

AN ACT concerning

State Aid for Public Education – Certification of Net Taxable Income

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 980)

The Bill was then sent to the House of Delegates.

House Bill 232 – Delegates Vitale, Costa, George, Kipke, McConkey, O’Donnell, Schuh, and Wilson

AN ACT concerning

Sales and Use Tax – Exemption – Parent–Teacher Organization Fundraisers

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 981)

The Bill was then sent to the House of Delegates.

House Bill 364 – Delegates ~~Hucker and Feldman~~, Feldman, Bromwell, Cullison, and Pena–Melnyk

AN ACT concerning

**Swimming Pools – Automated External Defibrillator Programs
(Connor’s Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 982)

The Bill was then sent to the House of Delegates.

House Bill 380 – Delegates Barve, Anderson, Barnes, Bohanan, Bromwell, Cardin, Carter, Clagett, Clippinger, Costa, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Gutierrez, Guzzone, Hammen, Haynes, Hixson, Hubbard, Ivey, Jones, Kach, Kaiser, A. Kelly, Kramer, Lafferty, Lee, Luedtke, Malone, McHale, McIntosh, A. Miller, Mitchell,

Mizeur, Morhaim, Murphy, Nathan–Pulliam, Oaks, Olszewski, Pena–Melnik, Pendergrass, S. Robinson, Rosenberg, Simmons, Summers, F. Turner, Valderrama, Waldstreicher, M. Washington, ~~and Zucker~~ Zucker, and McMillan

AN ACT concerning

Income Tax – Joint Returns – Married Couples

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 983)

The Bill was then sent to the House of Delegates.

House Bill 396 – Delegates Cardin, Afzali, DeBoy, Gilchrist, Jameson, Luedtke, W. Miller, Mitchell, Morhaim, Olszewski, Rosenberg, Stein, Stocksdale, and Walker

AN ACT concerning

**Criminal Law – ~~Electronic Harassment of a Minor~~ Misuse of Interactive Computer Service
(Grace’s Law)**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 984)

The Bill was then sent to the House of Delegates.

House Bill 420 – Chair, Environmental Matters Committee (By Request – Departmental – Transportation)

AN ACT concerning

Vehicle Laws – Maryland Transportation Authority – Payment of Tolls

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 985)

The Bill was then sent to the House of Delegates.

House Bill 431 – Chair, Economic Matters Committee (By Request – Departmental – Insurance Administration, Maryland)

AN ACT concerning

**Insurance – Maryland Insurance Acquisitions Disclosure and Control Act –
Revisions**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 986)

The Bill was then sent to the House of Delegates.

House Bill 467 – Allegany County Delegation

AN ACT concerning

**Allegany County – Roadside Solicitation of Money or Donations – Permit
Duration**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 987)

The Bill was then sent to the House of Delegates.

**House Bill 560 – The Speaker (By Request – Administration) and Delegates
Bohanan, Busch, Cardin, Clagett, Conway, Gaines, Griffith, Guzzone,
Healey, Hixson, Howard, James, Lafferty, McIntosh, Mitchell, and
Zucker**

AN ACT concerning

Public–Private Partnerships

Senator Peters moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 646 – Montgomery County Delegation

AN ACT concerning

**Gaming – Instant Ticket Lottery Machines – Veterans' Organizations
MC 5–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 988)

The Bill was then sent to the House of Delegates.

House Bill 725 – Delegates McMillan, Frick, and A. Kelly

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. 989)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #16

CONSENT CALENDAR #8

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 83	The Speaker	Judgeships – Court of Special Appeals, Circuit Courts, and District Court	JPR & B&T
HB 253 (AMENDED)	Washington County Del.	Washington County – Amusement Devices Tip Jars	B&T
HB 263	Del. Lafferty	Property Tax Credit – Historically and Architecturally Valuable Property	B&T
HB 442	Del. Dumais	Criminal History Records Checks – Child Care Providers	JPR
HB 523 (AMENDED)	Del. Myers	Short-Term Rental of Motorcycles	B&T
HB 902 (AMENDED)	Del. Guzzone	State Police Retirement System Reemployment of Retirees	B&T
HB 1024	Del. McDermott	Employees' Pension System – Elected or Appointed Officials – Membership	B&T

HB 1360	Del. George	Maryland Income Tax Refund – Anne Arundel County Warrant Intercept Program – Extension	B&T
HB 1394	Del. Impallaria	Harford County – Appointment of Fire Company Members as Deputy Sheriffs – Number	JPR

All of the above listed bills on the Third Reading Consent Calendar No. 8 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 990)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #17

House Bill 40 – Delegate Carr

AN ACT concerning

Residential Property Sales – Disclosure of Utility Consumption

Read the third time and failed for want of a constitutional majority:

Affirmative – 23 Negative – 23 (See Roll Call No. 991)

House Bill 244 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Correctional Services – Department of Public Safety and Correctional Services – Subpoena Power

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 992)

The Bill was then sent to the House of Delegates.

House Bill 245 – Chair, Judiciary Committee (By Request – Departmental – Human Resources)

AN ACT concerning

Family Law – Substance–Exposed Newborns

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 993)

The Bill was then sent to the House of Delegates.

House Bill 247 – Chair, Judiciary Committee (By Request – Departmental – Public Safety and Correctional Services)

AN ACT concerning

Criminal Procedure – Criminal Justice Information System Central Repository – Administration

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 994)

The Bill was then sent to the House of Delegates.

House Bill 254 – Allegany County Delegation

AN ACT concerning

Allegany County – Criminal Procedure – Custody of Arrested Persons Before Release

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 995)

The Bill was then sent to the House of Delegates.

House Bill 255 – Allegany County Delegation

AN ACT concerning

Allegany County – Correctional Officers’ Bill of Rights

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 996)

The Bill was then sent to the House of Delegates.

House Bill 257 – St. Mary’s County Delegation

AN ACT concerning

St. Mary’s County – ~~Adult Protective Services~~ Public Guardianship Review Board – Membership Requirements

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 997)

The Bill was then sent to the House of Delegates.

House Bill 292 – Chair, Judiciary Committee (By Request – Departmental – State Police)

AN ACT concerning

Public Safety – Statewide DNA Data Base System – DNA Sample Collection on Arrest – Reporting Requirement and Repeal of Sunset

Read the third time and passed by yeas and nays as follows:

Affirmative – 39 Negative – 7 (See Roll Call No. 998)

The Bill was then sent to the House of Delegates.

House Bill 338 – Delegates Clippinger, Anderson, and Summers

AN ACT concerning

Criminal Law – Robbery – Charging Document

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 999)

The Bill was then sent to the House of Delegates.

House Bill 374 – Delegates Malone, Glenn, Frush, and Norman

AN ACT concerning

Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1000)

The Bill was then sent to the House of Delegates.

House Bill 428 – Delegates K. Kelly, Dumais, and Simmons

AN ACT concerning

**Child Abuse and Neglect – Reports and Records – Disclosure to Public
Institutions of Higher Education**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1001)

The Bill was then sent to the House of Delegates.

House Bill 443 – Delegate Dumais

AN ACT concerning

Criminal History Records Checks – Informal Child Care Providers

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1002)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #18

House Bill 667 – Delegates Hixson, Arora, Barkley, Barve, Bobo, Cane, Carr, Clagett, Cullison, DeBoy, Feldman, Frick, Gilchrist, Gutierrez, Guzzone, Healey, Howard, Hubbard, Hucker, Ivey, Kaiser, Kramer, Lafferty, Luedtke, Malone, McHale, McIntosh, Minnick, Mizeur, Morhaim, Murphy, Nathan-Pulliam, Niemann, Pendergrass, Proctor, Reznik, B. Robinson, Rosenberg, Stein, Stukes, F. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, M. Washington, Weir, and Zucker

AN ACT concerning

Public School Employees – Collective Bargaining – Representation Fees

Read the third time and passed by yeas and nays as follows:

Affirmative – 34 Negative – 13 (See Roll Call No. 1003)

The Bill was then sent to the House of Delegates.

House Bill 718 – Delegate Serafini

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1004)

The Bill was then sent to the House of Delegates.

**House Bill 752 – Chair, Ways and Means Committee (By Request –
Departmental – Lottery)**

EMERGENCY BILL

AN ACT concerning

Video Lottery Gaming – Term of License

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1005)

The Bill was then sent to the House of Delegates.

**House Bill 797 – Delegates McIntosh, Frush, ~~and S. Robinson~~ S. Robinson,
Beidle, Carr, Kipke, McMillan, Norman, and Weir**

AN ACT concerning

Transportation Projects – ~~Bridges~~ Transportation Facilities – Water Access

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1006)

The Bill was then sent to the House of Delegates.

**House Bill 804 – Delegates Hucker, Carr, Cullison, Donoghue, A. Kelly,
Reznik, and Tarrant**

AN ACT concerning

**Employment Discrimination – Reasonable Accommodations for Disabilities
Due to Pregnancy**

Read the third time and passed by yeas and nays as follows:

Affirmative – 33 Negative – 13 (See Roll Call No. 1007)

The Bill was then sent to the House of Delegates.

House Bill 831 – Delegate Bohanan

AN ACT concerning

**St. Mary’s College of Maryland – Tuition Freeze and DeSousa–Brent Scholars
Completion Grant**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1008)

The Bill was then sent to the House of Delegates.

**House Bill 1127 – Delegates Jameson, Barkley, Bates, Costa, Davis, Guzzone,
Hershey, Hixson, Howard, Impallaria, W. Miller, and Ready**

AN ACT concerning

Commercial Law – Self–Service Storage Facilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 1009)

The Bill was then sent to the House of Delegates.

House Bill 1349 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Sheriff – ~~Salary Increase~~ Compensation and Salaries
PG 319–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1010)

The Bill was then sent to the House of Delegates.

House Bill 1406 – Howard County Delegation

AN ACT concerning

**Howard County – Sheriff – Salary Increases
Ho. Co. 13–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1011)

The Bill was then sent to the House of Delegates.

House Bill 1407 – Howard County Delegation

AN ACT concerning

**Howard County – Orphans’ Court Judges – Salary
Ho. Co. 12–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1012)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #26

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 128 – Delegates M. Washington, Anderson, Beidle, Braveboy, Gaines, Lafferty, Luedtke, McDermott, McIntosh, Mitchell, Mizeur, B. Robinson, Rudolph, Stukes, Summers, ~~and Tarrant~~ Tarrant, A. Washington, Frick, McMillan, A. Miller, Hixson, F. Turner, Afzali, Barve, Boteler, Branch, Cardin, Fisher, George, Harper, Howard, Ivey, Kaiser, Myers, Serafini, and Walker

EMERGENCY BILL

AN ACT concerning

Homestead Tax Credit – Eligibility Verification and Application – ~~Extension~~

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:

House Bill 335 – Delegates Mitchell, Anderson, Conaway, Haynes, McIntosh, Oaks, B. Robinson, Stukes, Tarrant, and M. Washington

AN ACT concerning

Baltimore City – ~~Community Development Projects~~ – Payment in Lieu of Taxes Agreements – Economic Development Projects

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:

House Bill 644 – ~~Delegate Olszewski~~ Delegates Olszewski, Afzali, Barve, Branch, Cardin, Dwyer, Frick, George, Harper, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Myers, Serafini, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds

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:

House Bill 802 – Calvert County Delegation

AN ACT concerning

Calvert County – Public Facilities Bonds

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:

House Bill 846 – Carroll County Delegation

AN ACT concerning

Carroll County – Public Facilities Bonds

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:

House Bill 1020 – Delegates Rosenberg, Carter, Conaway, Oaks, B. Robinson, and Tarrant

AN ACT concerning

Baltimore City – Video Lottery Terminal Proceeds – Local Impact Grants

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:

House Bill 1190 – Delegates Hixson, Conway, Mizeur, and Stukes

AN ACT concerning

County Property Tax – Personal Property Rate

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:

House Bill 1513 – Delegate Hixson

AN ACT concerning

Public Safety – Response to a State Disaster or Emergency – Licensing and Taxes**HB1513/589435/1**

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1513
(Third Reading File Bill)

On page 2, in line 16, strike “GOOD FAITH RESPONSE EFFORT IS REQUIRED” and substitute “WIDESPREAD UTILITY OUTAGE OCCURS”; and in line 31, after “SYSTEMS,” insert “WATER PIPELINES,”.

On page 4, in line 25, strike “October” and substitute “June”.

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 FINANCE REPORT #30

Senator Middleton, Chair, for the Committee on Finance and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 228 – The Speaker (By Request – Administration) and Delegates Anderson, Barve, Bobo, Carr, Carter, Cullison, Davis, Donoghue, Feldman, Glenn, Griffith, Hammen, Hubbard, Hucker, A. Kelly, Lee, McIntosh, Mizeur, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnik, Pendergrass, Reznik, V. Turner, Vallario, and M. Washington

AN ACT concerning

Maryland Health Progress Act of 2013

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton moved, duly seconded, to put **House Bill 228** on Third Reading on the same day in compliance with the Constitution.

The roll call vote resulted as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1014)

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 228** on Third Reading and Final Passage.

House Bill 228 – The Speaker (By Request – Administration) and Delegates Anderson, Barve, Bobo, Carr, Carter, Cullison, Davis, Donoghue, Feldman, Glenn, Griffith, Hammen, Hubbard, Hucker, A. Kelly, Lee, McIntosh, Mizeur, Morhaim, Murphy, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Reznik, V. Turner, Vallario, and M. Washington

AN ACT concerning

Maryland Health Progress Act of 2013

STATUS OF BILL: BILL ON 3RD READING.

Read the third time and passed by yeas and nays as follows:

Affirmative – 36 Negative – 11 (See Roll Call No. 1015)

The Bill was then sent to the House of Delegates.

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

House Bill 581 – Delegates Hubbard, Bobo, Cullison, Donoghue, Pena-Melnyk, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, Bromwell, Costa, Elliott, Frank, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Ready, Reznik, and Tarrant

AN ACT concerning

Hospitals – Establishment of Palliative Care Pilot Programs ~~–Required~~

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Middleton, Chair, for the Committee on Finance and Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 890 – ~~Delegate Bromwell~~ Delegates Bromwell, Hammen, Pendergrass, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Health – Overdose Response Program – Establishment

HB0890/307471/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 890

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 7, strike “or other”.

AMENDMENT NO. 2

On page 7, in line 24, strike “OR OTHER”; and in line 25, after “ARTICLE” insert “SOLELY”.

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:

House Bill 1159 – Delegates Kramer, Arora, Barkley, Bobo, Carr, Dumais, Luedtke, McDonough, Mizeur, Simmons, and Wood

AN ACT concerning

Electric Companies – Service Restoration – ~~Prioritized~~ Special Medical Needs Facilities

HB1159/137878/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1159

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 23, after “taking” insert “certain”; and in line 24, strike “an” and substitute “a certain”.

AMENDMENT NO. 2

On page 7, in line 4, after “FACILITIES” insert “, INCLUDING THE LICENSED CAPACITY OF EACH FACILITY,”.

On page 9, in line 16, strike “CORRECTIVE ACTION” and substitute “THE CORRECTIVE ACTION AUTHORIZED IN § 7-213(F)(2) OF THIS SUBTITLE”.

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:

House Bill 1203 – Delegates Kramer and Simmons

AN ACT concerning

**Homeowner’s or Renter’s Insurance – Underwriting and Policy Exclusions –
Specific Breed or Size of Dog Notices**

HB1203/557475/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 1203

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Underwriting and Policy Exclusions –” and substitute “Policy Exclusions for”; in line 3, strike “Breed or Size of Dog” and substitute “Breeds or Mixed Breeds of Dogs –”; in line 8, after “requiring” insert “certain”; strike beginning with “use” in line 9 down through the first “to” in line 10 and substitute “exclude coverage for losses caused by specific breeds or specific mixed”

breeds of dogs under”; in line 10, after “insurance” insert “policies”; in the same line, after “provide” insert “a”; in the same line, strike “notices” and substitute “notice”; in the same line, strike “the” and substitute “an”; in line 11, strike “under certain circumstances” and substitute “at certain times”; in line 12, strike “underwriting and”; and in line 14, strike “with” and substitute “without”.

AMENDMENT NO. 2

On page 3, in line 2, strike the brackets; strike beginning with the semicolon in line 4 down through “POLICY” in line 6; and strike in their entirety lines 13 through 30, inclusive, and substitute:

“(A) THIS SECTION APPLIES TO AN INSURER THAT OFFERS A HOMEOWNER’S INSURANCE OR RENTER’S INSURANCE POLICY IN THE STATE THAT DOES NOT PROVIDE COVERAGE FOR LOSSES CAUSED BY SPECIFIC BREEDS OR SPECIFIC MIXED BREEDS OF DOGS.

(B) AT THE TIME OF APPLICATION FOR OR ISSUANCE OF A POLICY OF HOMEOWNER’S INSURANCE OR RENTER’S INSURANCE, AND AT EACH RENEWAL OF A POLICY OF HOMEOWNER’S INSURANCE OR RENTER’S INSURANCE, AN INSURER SUBJECT TO THIS SECTION SHALL PROVIDE TO AN APPLICANT OR AN INSURED A WRITTEN NOTICE THAT:

(1) STATES THAT THE POLICY DOES NOT PROVIDE COVERAGE FOR LOSSES CAUSED BY SPECIFIC BREEDS OR SPECIFIC MIXED BREEDS OF DOGS; AND

(2) IDENTIFIES THE SPECIFIC BREEDS OR SPECIFIC MIXED BREEDS OF DOGS FOR WHICH THE POLICY DOES NOT PROVIDE COVERAGE.

(C) AN INSURER SUBJECT TO THIS SECTION MAY PROVIDE THE NOTICE REQUIRED UNDER SUBSECTION (B) OF THIS SECTION IN THE ANNUAL STATEMENT REQUIRED UNDER § 19-205 OF THIS SUBTITLE.”

On page 4, in line 3, strike “October 1, 2013” and substitute “January 1, 2014”.

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 #31

Senator Middleton, Chair, for the Committee on Finance and Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 799 – Senators Middleton, Astle, Conway, and Garagiola

AN ACT concerning

Energy – Landfill Diversion – Municipal Solid Waste Portfolio Standard

SB0799/697579/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 799

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Environment – Solid Waste Management Practices – Maryland Recycling and Landfill Diversion Task Force”; strike beginning with “establishing” in line 3 down through “standard;” in line 26 and substitute “requiring each county and the Department of the Environment to adopt a certain solid waste management hierarchy; declaring the intent of the General Assembly that the State undertake certain actions relating to recycling and landfill disposal rates; establishing the Maryland Recycling and Landfill Diversion Task Force; providing for the composition, cochairs, 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 determine the aspirational statewide recycling goal and a recycling and landfill diversion portfolio standard that will reduce the amount of solid waste being sent to landfills; specifying certain 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 certain dates; providing for the termination of the Task Force;”; in line 26, strike “the intent and” and substitute “certain”; in line 28, strike “municipal solid waste” and substitute “recycling and landfill diversion”; in line 29, after “standard” insert “and the establishment of the Maryland Recycling and Landfill Diversion Task Force”.

On pages 1 and 2, strike beginning with line 30 on page 1 through line 15 on page 2, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Environment

Section 9–504

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 17, insert:

“Article – Environment

9–504.

(a) To the extent that the incorporation will promote the public health, safety, and welfare, each county plan shall incorporate all or part of the subsidiary plans of each town, municipal corporation, sanitary district, privately owned facility, or local, State, or federal agency that has existing or planned development in that county.

(B) (1) THE GENERAL ASSEMBLY FINDS THAT:

(I) THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY HAS RANKED THE MOST ENVIRONMENTALLY SOUND STRATEGIES FOR SOLID WASTE; AND

(II) THE FOLLOWING SOLID WASTE MANAGEMENT PRACTICES ARE LISTED IN ORDER OF PREFERENCE:

- 1. SOURCE REDUCTION, INCLUDING REUSE;**
- 2. RECYCLING, INCLUDING COMPOSTING AND ANAEROBIC DIGESTION;**
- 3. ENERGY RECOVERY; AND**

4. TREATMENT AND DISPOSAL.

(2) EACH COUNTY AND THE DEPARTMENT SHALL ADOPT THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S SOLID WASTE MANAGEMENT HIERARCHY.

[(b)](c) If the governing body of each county that is affected adopts a subsidiary plan for a multicounty area, the county may incorporate in its county plan all or part of the subsidiary plan.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the State:

- (a) set an aspirational statewide recycling goal;
- (b) mandate minimum recycling rates and maximum landfill disposal rates;
- (c) in the development of recycling and landfill disposal rate requirements, consider a rate structure that:
 - (1) accounts for differences in the population of the counties; and
 - (2) includes municipal corporations;
 - (d) assist counties and municipal corporations in meeting recycling and landfill disposal rate requirements by:
 - (1) stimulating business opportunities and the development of the waste management industry;
 - (2) identifying appropriate methods of funding for counties and municipal corporations; and
 - (3) identifying appropriate incentives; and
 - (e) consider imposing penalties, including a compliance fee, on counties for noncompliance with the recycling and landfill disposal rate requirements, taking into

consideration appropriate exemptions from the penalties and appropriate uses of the funding.

SECTION 3. BE IT FURTHER ENACTED, That:

- (a) There is a Maryland Recycling and Landfill Diversion Task Force.
- (b) The Task Force consists of the following 18 members:
 - (1) one member of the Senate of Maryland, appointed by the President of the Senate;
 - (2) one member of the House of Delegates, appointed by the Speaker of the House;
 - (3) the Director of the Maryland Energy Administration, or the Director's designee;
 - (4) the Secretary of the Environment, or the Secretary's designee;
 - (5) the Executive Director of the Northeast Maryland Waste Disposal Authority, or the Executive Director's designee;
 - (6) the Executive Director of the Maryland Association of Counties, or the Executive Director's designee;
 - (7) one representative of a county with a population of 150,000 or more, as designated by the Maryland Association of Counties;
 - (8) one representative of a county with a population under 150,000, as designated by the Maryland Association of Counties;
 - (9) the Executive Director of the Maryland Municipal League, or the Executive Director's designee;
 - (10) the Director of the Maryland Environmental Service, or the Director's designee;

(11) the Secretary of Business and Economic Development, or the Secretary's designee; and

(12) one member from each of the following organizations, as designated by the managing director of each organization:

- (i) American Forest and Paper Association;
- (ii) Sustainable Materials Recovery Coalition;
- (iii) America Biogas Council;
- (iv) The Peninsula Compost Group;
- (v) Maryland–Delaware Solid Waste Association;
- (vi) Trash Free Maryland; and
- (vii) Chesapeake Climate Action Network.

(c) The President of the Senate and the Speaker of the House shall jointly appoint the members under subsection (b)(12) of this section.

(d) To the extent practicable, the members under subsection (b)(12) of this section shall be from an organization or a member company of the organization that operates or has an interest in operating in Maryland.

(e) The Task Force shall be cochaired by the members from the Senate of Maryland and the House of Delegates.

(f) (1) The Department of the Environment shall provide staff for the Task Force.

(2) The Maryland Energy Administration and the Department of Legislative Services shall assist the Department of the Environment in providing staff for the Task Force.

(g) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(h) The Task Force shall:

(1) determine whether the aspirational statewide recycling goal of 80% should be set in statute based on the recycling achievements of other states and countries;

(2) determine a recycling and landfill diversion portfolio standard that will reduce the amount of solid waste being sent to landfills;

(3) determine, based on the viability of a recycling and waste management industry in each county, whether recycling rate and landfill disposal rate requirements should be uniform for:

(i) all counties with a population of 150,000 and over; and

(ii) all counties with a population under 150,000;

(4) consider as a possible recycling and landfill diversion portfolio standard:

(i) for counties with a population of 150,000 or more, minimum recycling rates beginning with 35% in 2015 and reaching 60% by 2028 and thereafter;

(ii) for counties with a population of less than 150,000, minimum recycling rates beginning with 20% in 2015 and reaching 60% by 2035 and thereafter;

(iii) for counties with a population of 150,000 or more, maximum landfill disposal rates beginning with 65% of the solid waste stream in 2015 and reaching 5% by 2028; and

(iv) for counties with a population of less than 150,000, maximum landfill disposal rates beginning with 80% of the solid waste stream in 2015 and reaching 5% by 2035;

(5) determine how solid waste is currently being handled by collecting and analyzing solid waste data from counties, municipal corporations, and nonresidential entities that may contribute to the county's solid waste stream and from private waste haulers and recyclers in Maryland;

(6) determine the appropriate definition of "solid waste" that should be incorporated into a recycling and landfill diversion portfolio standard;

(7) evaluate how a recycling and landfill diversion portfolio standard will affect current recycling plan and comprehensive solid waste plan requirements and processes, and recommend how to incorporate the standard's recycling and waste diversion requirements into the plans and an appropriate incorporation timeline;

(8) determine how to integrate the recycling and waste management efforts in municipal corporations into county recycling and landfill waste diversion plans;

(9) evaluate and identify county recycling and waste diversion infrastructure needed to comply with a recycling and landfill diversion portfolio standard, including potential siting issues;

(10) determine how a recycling and landfill diversion portfolio standard would apply to counties that have existing landfill debt;

(11) review best practices in other states and countries for achieving recycling goals to determine whether those practices could be used to assist counties in achieving recycling goals in Maryland;

(12) determine whether new and emerging technologies in the waste management industry may assist counties in achieving a recycling and landfill diversion portfolio standard;

(13) determine how the Department of Business and Economic Development may assist in stimulating business opportunities and development in the waste management industry in ways that would assist counties in achieving a recycling and landfill diversion portfolio standard;

(14) identify appropriate methods of providing funding for counties and municipal corporations to achieve a recycling and landfill diversion portfolio standard, including how any State funds would be calculated to incentivize counties to meet the requirements of the recycling and landfill waste diversion requirements;

(15) consider, in allowing municipal corporations to be eligible to receive funds from the State Recycling Fund or from any other State aid that are available to assist a municipal corporation in increasing recycling rates if the municipal corporation cooperates with the county to achieve the minimum recycling rates and the maximum landfill disposal rates and participates and is included in the development and implementation of the county's recycling and landfill waste diversion plan;

(16) consider requiring any recycling rate requirement to be adjusted for noninclusion of the municipal corporation if the municipal corporation does not cooperate with the county to achieve the minimum recycling rates or participate and is not included in the development and implementation of the county's recycling and landfill waste diversion plan;

(17) determine whether it would be appropriate to impose a compliance fee on a county that fails to achieve the applicable solid waste recycling and landfill waste diversion requirements and, if a compliance fee is determined to be appropriate:

(i) consider whether the compliance fee should be adjusted each year based on an inflationary index, calculated on a per ton basis, and increase each year as the recycling and landfill waste diversion requirements increase;

(ii) consider the impact of the imposition of a compliance fee on a county that fails to achieve the applicable solid waste recycling rate or exceeds the applicable landfill disposal rate;

(iii) determine the use of the compliance fees or potential penalties, including depositing the revenue in the State Recycling Fund for providing grants and other assistance to counties and municipal corporations; and

(iv) determine whether an exemption from compliance fees or other potential penalties would be appropriate for counties:

1. that have existing landfill debt;

2. that have adequate justification for an alternative recycling rate or landfill disposal rate;

3. when State funds are not provided to all counties; or

4. when the Governor has declared a state of emergency due to a disaster;

(18) examine whether other forms of incentives or potential penalties should be considered in order for counties and municipal corporations to meet the requirements of the recycling and landfill waste diversion requirements; and

(19) determine any other changes to State law that the Task Force deems appropriate to implement the recycling and landfill diversion portfolio standard.

(i) (1) Except as provided in paragraph (2) of this subsection, on or before December 31, 2013, the Task Force shall report its findings and recommendations, including legislation, to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

(2) If the Task Force has not completed its work on or before December 31, 2013, the Task Force shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly:

(i) on or before December 31, 2013, its preliminary findings and recommendations; and

(ii) on or before December 31, 2014, its final findings and recommendations, including legislation.”.

AMENDMENT NO. 3

On pages 2 through 15, strike in their entirety the lines beginning with line 18 on page 2 through line 24 on page 15, inclusive, and substitute:

“SECTION 4. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect June 1, 2013. It shall remain effective for a period of 1 year and 7 months, and at the end of December 31, 2014, with no further action required by the

General Assembly, Section 3 of this Act shall be abrogated and of no further force and effect.”;

in line 25, strike “2.” and substitute “5.”; in the same line, after “That” insert “, except as provided in Section 4 of this Act.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Rosapepe moved, duly seconded, to make the Bill a Special Order for April 5, 2013.

The motion was adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 587 – Delegate Davis

AN ACT concerning

Electric Companies – Service Quality and Reliability Standards – Vegetation Management

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 35 Negative – 12 (See Roll Call No. 1016)

The Bill was then sent to the House of Delegates.

Senate Bill 481 – Senators Manno, Madaleno, and Raskin

AN ACT concerning

Income Tax Credit – Home Generators

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

SB0481/589733/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 481

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Income Tax Credit – Home Generators” and substitute “Task Force on the Implementation of Tax Benefits for Emergency Preparedness Equipment”; strike beginning with “allowing” in line 3 down through “generator” in line 9, and substitute “establishing the Task Force to Study the Implementation of Tax Benefits for Emergency Preparedness; 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 Implementation of Tax Benefits for Emergency Preparedness Equipment”; and strike in their entirety lines 10 through 14, inclusive.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 16 on page 2, inclusive, and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Task Force to Study Tax Benefits for Emergency Preparedness Equipment.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Comptroller, or the Comptroller’s designee;

(4) one representative from the Maryland chapter of AARP, designated by the Maryland AARP State president; and

(5) the following members, appointed by the Governor:

(i) one member of the Public Service Commission;

(ii) one member of the Maryland Retailers Association; and

(iii) one member of the public who is a customer of an electric utility.

(c) The Governor shall designate the chair of the Task Force.

(d) The Public Service Commission shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study which members of the population would benefit from the implementation of:

(i) an income tax credit to purchase electric generators; or

(ii) a tax-free period for emergency preparedness equipment;

(2) study how individuals with physical difficulties, elderly individuals, and other individuals who are dependent on a consistent supply of power for medical purposes would benefit from the implementation of:

(i) an income tax credit to purchase electric generators; or

(ii) a tax-free period for emergency preparedness equipment;

(3) study whether commercial establishments would also benefit from an income tax credit to purchase electric generators or tax-free period for emergency preparedness equipment and the costs of establishing the credit or tax-free period; and

(4) make recommendations regarding the implementation of an income tax credit for the purchase of electric generators or a tax-free period for emergency preparedness equipment, including:

(i) qualifications for the credit;

(ii) the amount of the credit to be granted; and

(iii) the length of a tax-free period for emergency preparedness equipment.

(g) On or before December 1, 2013, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013. It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0481/623325/1

BY: Senator Middleton

AMENDMENTS TO SENATE BILL 481, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Budget and Taxation Committee Amendments (SB0481/589733/1), in line 7 of Amendment No. 2, strike “and”; after line 7, insert:

“(5) the Chairman of the Public Service Commission, or the Chairman’s designee;

(6) the Secretary of the Department of Health and Mental Hygiene, or the Secretary’s designee;

(7) the Director of the Maryland Energy Administration, or the Director’s designee;

(8) the Director of the Maryland Emergency Management Agency, or the Director’s designee;

(9) the Director of the Governor’s Office of Homeland Security, or the Director’s designee; and”;

in line 8, strike “(5)” and substitute “(10)”; strike beginning with “one” in line 9 down through “(ii)” in line 10; and in line 11, strike “(iii)” and substitute “(ii)”.

AMENDMENT NO. 2

On page 2 of the Budget and Taxation Committee Amendments, in line 14 of Amendment No. 2, strike “Public Service Commission” and substitute “Maryland Energy Administration, Maryland Emergency Management Agency, and Governor’s Office of Homeland Security”.

The preceding 2 amendments were read and adopted.

Read the second time and ordered prepared for Third Reading.

Senate Bill 701 – Senators Jones–Rodwell, Frosh, Currie, Forehand, McFadden, Muse, and Pugh

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (4) AND THE FAVORABLE REPORT.

SB0701/688279/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 701

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “request that” and substitute “petition the court to shield certain”; in line 4, strike “be shielded”; in line 7, after “shielding;” insert “providing that a person may shield only one stand-alone conviction or unit of convictions per lifetime;”; strike beginning with “prohibiting” in line 15 down through “exception;” in line 18; and strike beginning with “establishing” in line 27 down through “Act;” in line 28.

On pages 1 and 2, strike beginning with “a” in line 30 on page 1 down through “law” in line 2 on page 2 and substitute “a certain conviction”.

AMENDMENT NO. 2

On page 2, after line 30, insert:

“(F) “SHIELDABLE CONVICTION” MEANS A CONVICTION OF ONE OF THE FOLLOWING CRIMES, COMMITTED BY AN INDIVIDUAL UNDER THE AGE OF 26 YEARS:

(1) POSSESSION OF MARIJUANA UNDER § 5-601 OF THE CRIMINAL LAW ARTICLE;

(2) USE OF OR POSSESSION WITH INTENT TO USE DRUG PARAPHERNALIA UNDER § 5-619(C)(1) OF THE CRIMINAL LAW ARTICLE;

(3) DISTURBING THE PEACE UNDER § 10-201(C)(4) OF THE CRIMINAL LAW ARTICLE;

(4) THEFT UNDER \$100 UNDER § 7-104(G)(3) OF THE CRIMINAL LAW ARTICLE;

(5) TRESPASS ON POSTED PROPERTY UNDER § 6-402 OF THE CRIMINAL LAW ARTICLE;

(6) MALICIOUS DESTRUCTION OF PROPERTY CAUSING DAMAGE OF LESS THAN \$500 UNDER § 6-301 OF THE CRIMINAL LAW ARTICLE;

(7) FAILURE TO APPEAR IN RESPONSE TO A CITATION UNDER § 5-212 OF THIS ARTICLE;

(8) PUBLIC INTOXICATION UNDER ARTICLE 2B, § 19-101 OF THE CODE;

(9) A PROSTITUTION OFFENSE UNDER § 11-306 OF THE CRIMINAL LAW ARTICLE;

(10) LITTERING IN AN AMOUNT NOT EXCEEDING 100 POUNDS UNDER § 10-110 OF THE CRIMINAL LAW ARTICLE;

(11) POSSESSION OF AN ALCOHOLIC BEVERAGE IN AN OPEN CONTAINER UNDER ARTICLE 2B, § 19-301 OF THE CODE;

(12) DRINKING ON PUBLIC PROPERTY UNDER ARTICLE 2B, § 19-202 OF THE CODE;

(13) CONFINEMENT OF AN UNATTENDED CHILD UNDER § 5-801 OF THE FAMILY LAW ARTICLE;

(14) OBTAINING PROPERTY OR SERVICES WITH A VALUE OF LESS THAN \$100 BY BAD CHECK UNDER § 8-103(B) OF THE CRIMINAL LAW ARTICLE;

(15) OBTAINING PROPERTY WITH A VALUE OF LESS THAN \$100 WITH A STOLEN OR COUNTERFEIT CREDIT CARD UNDER § 8-206(A) OF THE CRIMINAL LAW ARTICLE;

(16) A TICKET SCALPING OFFENSE UNDER ANY STATE OR LOCAL LAW; OR

(17) FAILURE TO COMPLY WITH A LAWFUL ORDER OF A NATURAL RESOURCES POLICE OFFICER UNDER § 1-206 OF THE NATURAL RESOURCES ARTICLE.

(G) “UNIT” MEANS TWO OR MORE CONVICTIONS THAT ARISE FROM THE SAME INCIDENT, TRANSACTION, OR SET OF FACTS.”.

AMENDMENT NO. 3

On page 2, in line 32, strike the colon.

On page 3, strike beginning with “(1)” in line 1 down through “(3)” in line 4; in line 10, after “STATUTORY” insert “OR CONTRACTUAL”; in line 11, strike “STATUTORY”; in line 14, strike “EMPLOYEE’S OR EMPLOYER’S” and substitute “INDIVIDUAL’S”; in the same line, after “§ 5-561” insert “(B), (C), (D), (E), (F), OR (G)”; in line 15, strike “AND”; and in line 17, after “ATTORNEY” insert “; AND”

(5) HEALTH OCCUPATIONS BOARDS”.

AMENDMENT NO. 4

On page 3, strike beginning with “REQUEST” in line 20 down through “SHIELDED” in line 21 and substitute “PETITION THE COURT TO SHIELD THE PERSON’S COURT AND POLICE RECORDS RELATING TO A SHIELDABLE CONVICTION”; in line 21, strike “3” and substitute “5”; after line 27, insert:

“(C) (1) A PERSON MAY SHIELD ONLY ONE STAND-ALONE CONVICTION OR ONE UNIT OF CONVICTIONS PER LIFETIME.

(2) IF A PERSON IS NOT ENTITLED TO SHIELDING OF ONE CONVICTION IN A UNIT, THE PERSON IS NOT ENTITLED TO SHIELDING OF ANY OTHER CONVICTION IN THE UNIT.”;

and in line 28, strike “(C)” and substitute “(D)”.

On page 4, strike beginning with “EXCEPT” in line 14 down through “(2)” in line 22; and in line 29, strike “(3) A” and substitute “(2) EXCEPT AS PROVIDED IN § 10-302(B) OF THIS SUBTITLE, A”.

On page 5, strike in their entirety lines 9 through 16, inclusive.

The preceding 4 amendments were read and adopted.

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 39 Negative – 8 (See Roll Call No. 1017)

FLOOR AMENDMENT

SB0701/973628/1

BY: Senator Garagiola

AMENDMENT TO SENATE BILL 701, AS AMENDED

On page 1 of the Judicial Proceedings Committee Amendments (SB0701/688279/1), in Amendment No. 2, strike in their entirety lines 5 through 8, inclusive; and in line 9, strike “**(3)**” and substitute “**(1)**”.

On page 2 of the Judicial Proceedings Committee Amendments, in Amendment No. 2, strike in their entirety lines 1 through 6, inclusive; and in lines 7, 9, 11, 13, 15, 17, and 19, strike “**(7)**”, “**(8)**”, “**(9)**”, “**(10)**”, “**(11)**”, “**(12)**”, and “**(13)**”, respectively, and substitute “**(2)**”, “**(3)**”, “**(4)**”, “**(5)**”, “**(6)**”, “**(7)**”, and “**(8)**”, respectively.

On page 3 of the Judicial Proceedings Committee Amendments, in Amendment No. 2, strike in their entirety lines 1 through 5, inclusive; and in lines 6 and 8, strike “**(16)**” and “**(17)**”, respectively, and substitute “**(9)**” and “**(10)**”, respectively.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 6 Negative – 40 (See Roll Call No. 1018)

FLOOR AMENDMENT

SB0701/873925/1

BY: Senator Brochin

AMENDMENT TO SENATE BILL 701, AS AMENDED

On page 2 of the Judicial Proceedings Committee Amendments (SB0701/688279/1), in Amendment No. 2, strike in their entirety lines 19 and 20.

On page 3 of the Judicial Proceedings Committee Amendments, in lines 1, 3, 6, and 8 of Amendment No. 2, strike “**(14)**”, “**(15)**”, “**(16)**”, and “**(17)**”, respectively, and substitute “**(13)**”, “**(14)**”, “**(15)**”, and “**(16)**”, respectively.

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 47 Members present.

(See Roll Call No. 1019)

RECESS

At 12:58 P.M. on motion of Senator Garagiola, seconded, the Senate recessed until 4:00 P.M. on Legislative Day, March 30, 2013, Calendar Day, Thursday, April 4, 2013.

AFTER RECESS
Annapolis, Maryland
Legislative Day: March 30, 2013
Calendar Day: Thursday, April 4, 2013

At 4:17 P.M. the Senate resumed its session.

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

QUORUM CALL

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

(See Roll Call No. 1020)

THE COMMITTEE ON RULES REPORT #15

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 986 – Delegate Hammen

AN ACT concerning

State Board of Pharmacy – Sterile Compounding – Permits

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:

**House Bill 1353 – Delegates Oaks, Branch, Carter, ~~and Vaughn Vaughn,~~
Tarrant, V. Turner, Nathan-Pulliam, Pendergrass, Pena-Melnyk, and
Morhaim**

AN ACT concerning

Minority Business Enterprises – Participation and Goals and Subgoals

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:

House Bill 1390 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs) and Delegates Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Ready, Tarrant, and V. Turner

AN ACT concerning

Maryland Veterans Trust and Fund – Establishment

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:

House Bill 1429 – Chair, Environmental Matters Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

~~State Ethics – Former State~~ **Department of Health and Mental Hygiene – Former Officials and Employees – Employment**

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:

House Bill 1475 – ~~Delegates Cluster, Boteler, Bromwell, DeBoy, Impallaria, Malone, and Olszewski~~ Baltimore County Delegation

SECOND PRINTING

AN ACT concerning

Baltimore County – Correctional Officers’ Bill of Rights

The bill was re-referred to the Committee on Judicial Proceedings.

MESSAGE FROM THE HOUSE OF DELEGATES**FIRST READING OF HOUSE BILLS**

House Bill 1004 – Delegates Cardin, Stocksdale, Aumann, Boteler, Dwyer, Eckardt, Frank, Glass, Impallaria, McConkey, McDonough, Murphy, Sophocleus, ~~and Waldstreicher~~ Waldstreicher, Afzali, and Walker

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 Rules.

House Bill 1173 – Delegates Kramer, Arora, Carr, Conaway, Frick, George, Guzzone, Luedtke, Rudolph, Simmons, and Wood

AN ACT concerning

~~**Electric and Gas Companies – On-Bill Financing**~~
Small Business Energy Assistance Act

FOR the purpose of ~~establishing the~~ authorizing the Public Service Commission to establish a Small Commercial Energy Efficiency On-Bill Financing Program;

specifying the purpose of the Program; ~~requiring~~ authorizing the Commission to require a utility company to participate in the Program; authorizing certain customers to obtain a certain loan for an energy efficiency upgrade under certain circumstances; requiring the ~~Public Service~~ Commission to establish standards for a qualifying energy efficiency upgrade and eligibility requirements for customers; specifying the amount for a meter conservation charge to repay a loan on a utility bill; requiring that a loan for an energy efficiency upgrade on rented property be approved by the landlord or the landlord's agent; authorizing a utility company to enter into a contract with a certain third-party lender to provide certain loans under the Program under certain circumstances; authorizing a utility company to issue a certain request for proposals; specifying criteria for the award of a certain contract; requiring a utility company to remit a certain payment to a third-party lender under certain circumstances; ~~requiring the Commission to establish the terms for a utility company to receive and manage any loan funding sources to subsidize interest free loans available to certain customers; requiring a utility company to establish a separate fund to manage certain funds;~~ requiring the Commission to adopt certain regulations; defining certain terms; providing for a delayed effective date; and generally relating to energy efficiency.

BY adding to

Article – Public Utilities

Section 7–309

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

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

House Bill 1325 – Delegate Wood

AN ACT concerning

Transportation – Capital Projects – 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~~ pavement projects; requiring that the life cycle cost analysis methodology address certain matters; requiring the Department to ~~submit a report of~~ utilize 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~~ pavement 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.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 2 (Emergency Bill)	Sen. Colburn	Dorchester County – Turkey Hunting on Public Land – Sundays
SB 6	Sen. Colburn	Dorchester County – Restriction on Sunday Gaming – Repeal
SB 21	Sen. Klausmeier	Natural Resources – Aquaculture Coordinating Council – Reporting Date
SB 55	Chair, EHE Com.	Private Career Schools – Solicitor Permits – Repeal
SB 56	Chair, EHE Com.	Unauthorized Institutions of Postsecondary Ed – Transcripts, Diplomas, and Grade Rpts – Penalties
SB 67	Ch., Budget & Tax	Central Collection Unit – Montrg and Recording of Tel Calls – Training and Qlty Ctrl Purposes
SB 85	Ch., Finance Com.	Md Port Commission – Mgt Pers Appointments – Operating and Managing Port Facilities
SB 98	Sen. Klausmeier	Business Reg – Other Tobacco Prods – Wholesalers – License Fee Exception for Cig Subwholesalers
SB 139	Sen. Conway	Hlth Cr Practs – Prsptn Drg or Dvc Dspn – Med Facs or Clns Tht Splze in Trtmt Reib Wrkrs' Comp Ins
SB 144	Sen. Kasemeyer	Property Tax Credit – Historically and Architecturally Valuable Property
SB 153	Sen. Currie	Higher Education – Academic Credit for Military

		Education, Training, and Experience
SB 155	Sen. Mathias	Somerset County – Sale of Small Boat Harbor Dock
SB 158 (Emergency Bill)	Sen. Conway	Homestead Tax Credit – Eligibility Verification and Application
SB 164	Sen. Pipkin	Queen Anne’s County – Property Tax Credit – Commercial Investment and Economic Development
SB 195	Sen. Kelley	Hospitals – Notice to Patients – Outpatient Status and Billing Implications
SB 217	Sen. Klausmeier	Vehicle Laws – Registration Plates for Individuals with Disabilities – Parking in Baltimore County
SB 269	Sen. Jones–Rodwell	State Retirement and Pension System – Correction of Errors in Benefits
SB 282 (Emergency Bill)	Sen. Jones–Rodwell	Video Lottery Facilities – Employee Licenses – Crimes of Moral Turpitude or Gambling
SB 315	Sen. Brinkley	Frederick County – Gaming Permits
SB 346	Sen. Kelley	Innovations in Aging Services Program – Commission on Aging – Responsibilities
SB 400	Sen. Glassman	Environmental Health Specialists – Licensure Examinations – Applicant Qualifications and Waiver
SB 408	Sen. Shank	Washington County – Special Deputy Sheriffs
SB 414	Sen. King	Higher Education – Tuition Waiver – Foster Care Recipients
SB 424	Sen. Mathias	Somerset County – Emergency Burning Ban – Adoption and Enforcement
SB 462	Sen. Simonaire	Env – Wetlands and Waterways Authorzns – Installation of Personal Watercraft Lifts
SB 470	Sen. Mathias	Employees’ Pension System – Somerset Co Econ Dev Commission – Eligible

SB 474	Sen. Jones–Rodwell	Governmental Unit State Ret and Pension System – Funding Method and Amortization of Unfunded Liabilities or Surpluses
SB 506	Sen. Shank	Washington County – Technology–Related Businesses – Payment in Lieu of Taxes Agreements
SB 563	Sen. Simonaire	Environment and Public Utilities – Notice to Neighboring Jurisdictions of Applications
SB 573	Sen. Robey	County Property Tax – Personal Property Rate
SB 617	Sen. Klausmeier	Drug Therapy Management – Physician–Pharmacist Agreements
SB 639	Sen. Manno	Civil Rights Tax Relief Act
SB 656	Sen. Miller	Calvert County – Property Tax – Natural Gas Facility
SB 662	Sen. Mathias	Natural Resources – Commercial Fishing – Licensing
SB 674	Sen. Edwards	Employees’ Pension System – Elected or Appointed Officials – Membership
SB 741	Sen. Jones–Rodwell	State Retirement and Pension System – Board of Trustees
SB 766	Sen. Edwards	Business Occupations – Oil and Gas Land Professionals – Registration
SB 801	Sen. Jones–Rodwell	State Ret and Pension Systems – Cost–of–Living Adjustments – Simplification and Clarif
SB 820	Sen. Benson	Animal Welfare – Spay/Neuter Fund – Establishment
SB 840	Sen. Stone	Voting – Notice of Election by Specimen Ballot
SB 900	Sen. Jones–Rodwell	Baltimore City – Payment in Lieu of Taxes Agreements – Economic Development Projects
SB 905	Sen. DeGrange	Video Lottery Facilities – Table Game Proceeds
SB 917	Sen. Edwards	Allegany County – Video Lottery Terminals – Distribution of Proceeds

SB 947
(Emergency Bill)

Sen. Jennings

Baltimore County – Property
Tax Credit – Bowerman–Loreley
Beach Community Association,
Inc

SB 961

Sen. Peters

Horse Racing – Special
Takeout

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #57**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 1107 – Prince George’s County Delegation

AN ACT concerning

**Task Force on the Membership and to Evaluate Best Practices for School
Board Operation of the in Prince George’s County Board of Education
PG 411–13**

HB1107/444332/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1107

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; strike beginning with “Task” in line 2 down through “in” in line 3; in line 3, after “County” insert “School System – Academic Revitalization and Management Effectiveness Initiative”; strike beginning with “establishing” in line 5 down through the period in line 22 and substitute “revising the composition of the Prince George’s County Board of Education; providing for the appointment of certain members of the county board by the County Executive of Prince George’s County and the Prince George’s County Council; providing for the qualifications, terms of office, and the filling of a vacancy of certain members of the county board; authorizing the appointed members of the county board to participate in certain votes relating to the student member; repealing certain provisions for the filling of a vacancy of certain members of the county board;”

authorizing the provision of compensation, health insurance, and other fringe benefits for appointed members of the county board; requiring the County Executive to appoint a chair and vice chair of the county board; requiring the County Executive to select the vice chair of the county board from among the elected members of the county board; providing for the terms of the chair and vice chair of the county board; requiring the affirmative vote of a certain number of members of the county board for the passage of a certain motion; establishing that, in Prince George's County, the county superintendent is the Chief Executive Officer of the Prince George's County public school system; authorizing the Chief Executive Officer to consolidate schools under certain circumstances; exempting Prince George's County from certain provisions of law relating to county superintendents; subject to certain provisions of law, requiring the County Executive to select the Chief Executive Officer from a certain list recommended by a certain search committee; requiring the county board to appoint the Chief Executive Officer after agreement on certain contract terms; providing for the qualifications, term of office, reappointment, suspension, removal, and filling of a vacancy in the office of the Chief Executive Officer; providing for the compensation of the Chief Executive Officer; providing for the administration of the office of the Chief Executive Officer; requiring the Chief Executive Officer to immediately notify the County Executive and the county board in writing of certain criminal charges; establishing the purpose of the county board; establishing certain responsibilities, powers, and duties of the Chief Executive Officer, including hiring and setting the salary of certain executive officers and staff of the Prince George's County public school system and entering into a certain memorandum of understanding with certain institutions of higher education; authorizing the Chief Executive Officer to delegate certain responsibilities; prohibiting the county board from implementing a certain policy or taking a certain action except by a certain vote, except in certain circumstances; requiring the County Executive and the County Council to appoint certain members and the chair and vice chair of the county board by a certain date; requiring that, to fill a certain vacancy, a certain search committee be appointed by a certain date and a certain chair of the county board include a certain requirement in the terms of the contract of a certain Chief Executive Officer; authorizing the selection and appointment of a certain Chief Executive Officer after a certain date to a certain term; requiring the Chief Executive Officer and the county board to hire a consultant to conduct a school utilization study and make certain recommendations to the Chief Executive Officer, county board, County Executive, and County Council on or before a certain date; requiring the County Executive, Chief Executive Officer, and county board to submit an interim report on the implementation of this Act to certain committees of the General Assembly on or before a certain date; requiring the County Executive, Chief Executive Officer, and county board to submit a final report on

academic progress and improvement in the management of the Prince George's County public school system and make certain recommendations to certain committees of the General Assembly on or before a certain date; requiring the General Assembly to make a certain determination during a certain legislative session; making this Act an emergency measure; and generally relating to the academic revitalization and management of the Prince George's County public school system.

BY repealing and reenacting, with amendments,

Article – Education

Section 3–105, 3–114, 3–1002 through 3–1004, 4–101, 4–102(a), 4–120, 4–201, 4–202, 4–204, 4–206, and 6–201(a) and (b)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

BY adding to

Article – Education

Section 4–201.1; and 4–401 through 4–403 to be under the new subtitle “Subtitle 4. Prince George's County”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, in line 2, after “That” insert “the Laws of Maryland read as follows”.

On pages 2 through 5, strike in their entirety the lines beginning with line 3 on page 2 through line 29 on page 5, inclusive, and substitute:

“Article – Education

3–105.

(a) Subsections (b), (c), and (d) of this section do not apply to a county if the number of members of the county board is regulated by other provisions of this title.

(b) If a county school system has an enrollment of less than 50,000 students, the county board shall have five members, except that:

(1) The Worcester County Board shall have the number of members provided in subsection (e) of this section;

(2) Any county board that had more than five members on July 1, 1969, shall retain that number of members; and

(3) The Wicomico County Board shall have the number of members provided in subsection (f) of this section.

(c) If a county school system has an enrollment of 50,000 students or more but less than 100,000 students, the county board shall have seven members.

(d) If a county school system has an enrollment of 100,000 students or more, the county board shall have nine members except as provided in § 3–901 of this title for Montgomery County AND § 3–1002 OF THIS TITLE FOR PRINCE GEORGE’S COUNTY.

(e) The Worcester County Board consists of seven voting members and one nonvoting student member from each public high school in the county.

(f) (1) The Wicomico County Board consists of seven members.

(2) The term of a member is 5 years.

3–114.

(a) In the following counties, the members of the county board shall be elected:

(1) Allegany;

(2) Calvert;

(3) Carroll;

(4) Cecil;

(5) Charles;

(6) Dorchester;

(7) Frederick;

(8) Garrett;

(9) Howard;

(10) Kent;

~~[(11) Prince George's;]~~

~~[(12) (11) Montgomery;]~~

~~[(13) (12) Queen Anne's;]~~

~~[(14) (13) St. Mary's;]~~

~~[(15) (14) Somerset;]~~

~~[(16) (15) Talbot;]~~

~~[(17) (16) Washington; and]~~

~~[(18) (17) Worcester.]~~

(b) In Caroline County, in accordance with Subtitle 3A of this title, the members of the county board shall be a combination of members who are elected and appointed.

(c) In Harford County, in accordance with Subtitle 6A of this title, the members of the county board shall be a combination of members who are elected and appointed.

(D) IN PRINCE GEORGE'S COUNTY, IN ACCORDANCE WITH SUBTITLE 10 OF THIS TITLE, THE MEMBERS OF THE COUNTY BOARD SHALL BE A COMBINATION OF MEMBERS WHO ARE ELECTED AND APPOINTED.

[(d) (E) An individual subject to the authority of the county board may not serve as a member of the county board. At the time of filing a certificate of candidacy

for election to a county board, a person shall certify to the local board of supervisors of elections whether or not he is subject to the authority of the county board. The Governor shall not issue a commission of election to a person who has certified affirmatively and who is elected to a county board until the member-elect offers proof that he is no longer subject to the authority of the county board.

[(e)] (F) The election of the county boards shall be held as provided in Subtitles 2 through 14 of this title and the Election Law Article.

3–1002.

(a) **(1)** In this subtitle[, “elected”] THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “APPOINTED MEMBER” MEANS A MEMBER OF THE PRINCE GEORGE’S COUNTY BOARD APPOINTED UNDER SUBSECTION (F) OF THIS SECTION.

(3) “ELECTED member” means a member of the Prince George’s County Board elected from one of the nine school board districts described in § 3–1001 of this subtitle.

(b) The Prince George’s County Board consists of [10] 14 members as follows:

(1) Nine elected members, each of whom resides in a different school board district; [and]

(2) FOUR APPOINTED MEMBERS; AND

[(2)] (3) One student member selected under subsection [(f)(2)] (G)(2) of this section.

(c) (1) One member of the county board shall be elected from each of the nine school board districts described in § 3–1001 of this subtitle.

(2) From the time of filing as a candidate for election, each candidate shall be a registered voter of the county and a resident of the school board district the candidate seeks to represent.

(3) An elected county board member shall forfeit the office if the member:

(i) Fails to reside in the school board district from which the member was elected, unless this change is caused by a change in the boundaries of the district; or

(ii) Fails to be a registered voter of the county.

(4) A county board member may not hold another office of profit in county government during the member's term.

(5) Each elected member of the county board shall be nominated by the registered voters of the member's school board district.

(d) The elected members of the county board shall be elected:

(1) At the general election every 4 years as required by subsection (g) of this section; and

(2) By the voters of the school board district that each member represents.

(e) (1) If a candidate for the county board dies or withdraws the candidacy during the period beginning with the date of the primary and ending 70 days before the date of the general election, the Board of Elections shall:

(i) Replace the name of the deceased or withdrawn candidate on the ballot for the general election with the name of the candidate who received the next highest number of votes in the primary election; or

(ii) If a contested primary was not held, reopen the filing process to allow other persons to file as candidates.

(2) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, the Board of Elections shall add to the ballot for the general election the name of any person who files as a candidate in accordance with paragraph (1)(ii) of this subsection.

(ii) The Board of Elections may not add additional candidates to the ballot for the general election within 70 days before the date of the election.

(F) (1) THE APPOINTED MEMBERS OF THE COUNTY BOARD SHALL BE APPOINTED AS FOLLOWS:

(I) THREE MEMBERS SHALL BE APPOINTED BY THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY AS FOLLOWS:

1. ONE MEMBER SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE CONCERNING EDUCATION;

2. ONE MEMBER SHALL POSSESS A HIGH LEVEL OF BUSINESS, FINANCE, OR HIGHER EDUCATION EXPERIENCE; AND

3. ONE MEMBER SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE CONCERNING THE SUCCESSFUL ADMINISTRATION OF A LARGE BUSINESS, NONPROFIT, OR GOVERNMENTAL ENTITY; AND

(II) THE PRINCE GEORGE'S COUNTY COUNCIL SHALL APPOINT ONE MEMBER WHO IS A PARENT OF A STUDENT ENROLLED IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM AS OF THE DATE OF THE APPOINTMENT OF THE MEMBER.

(2) EACH APPOINTED MEMBER OF THE COUNTY BOARD SHALL BE A RESIDENT OF PRINCE GEORGE'S COUNTY.

[(f)] (G) (1) The student member shall be an eleventh or twelfth grade student in the Prince George's County public school system during the student's term in office.

(2) An eligible student shall file a nomination form at least 2 weeks before a special election meeting of the Prince George's Regional Association of Student Governments. Nomination forms shall be made available in the administrative offices of all public senior high schools in the county, the office of student concerns, and the office of the president of the regional association. The delegates to the regional association annually shall elect the student member to the board at a special election meeting to be held each school year.

(3) The student member may vote on all matters before the board except those relating to:

(i) Capital and operating budgets;

(ii) School closings, reopenings, and boundaries;

(iii) Collective bargaining decisions;

(iv) Student disciplinary matters;

(v) Teacher and administrator disciplinary matters as provided under § 6-202(a) of this article; and

(vi) Other personnel matters.

(4) On an affirmative vote of a majority of the elected AND APPOINTED members of the county board, the board may determine if a matter before the board relates to a subject that the student member may not vote on under paragraph (3) of this subsection.

(5) Unless invited to attend by an affirmative vote of a majority of the elected AND APPOINTED members of the county board, the student member may not attend an executive session that relates to hearings on appeals of special education placements, hearings held under § 6-202(a) of this article, or collective bargaining.

(6) The Prince George's Regional Association of Student Governments may establish procedures for the election of the student member of the county board.

(7) The election procedures established by the Prince George's Regional Association of Student Governments are subject to the approval of the elected AND APPOINTED members of the county board.

[(g)] (H) (1) Except as provided in paragraph (2) of this subsection, an elected member serves for a term of 4 years beginning on the first Monday in December after the member's election and until the member's successor is elected and qualifies.

(2) The terms of the elected members are staggered as follows:

(i) The five elected members who received the lowest percentage of votes, as determined by the final vote count of the 2010 General Election as certified by the Board of Elections, shall serve for a term of 2 years; and

(ii) The other four members elected in the 2010 General Election shall serve for a term of 4 years.

(3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, AN APPOINTED MEMBER:

(I) SERVES FOR A TERM OF 4 YEARS BEGINNING ON THE DATE OF APPOINTMENT;

(II) MAY BE REAPPOINTED; AND

(III) SERVES UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(4) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED AS FOLLOWS:

(I) THE MEMBERS APPOINTED UNDER SUBSECTION (F)(1)(I)1 AND 2 OF THIS SECTION ON OR BEFORE JUNE 1, 2013, SHALL SERVE FOR AN INITIAL TERM OF 4 YEARS; AND

(II) THE MEMBER APPOINTED UNDER SUBSECTION (F)(1)(I)3 AND (II) OF THIS SECTION ON OR BEFORE JUNE 1, 2013, SHALL SERVE FOR AN INITIAL TERM OF 2 YEARS.

[(3)] (5) The student member serves for a term of 1 year beginning at the end of a school year.

(4) (i) 1. A seat on the county board held by an elected member that becomes vacant more than 180 days before the end of that member's term of office shall be filled for the remainder of the term at a special election.

2. A seat on the county board held by an elected member that becomes vacant 180 days or less before the end of that member's term of office shall remain vacant until a successor is elected and qualifies.

(ii) 1. A. No later than 7 days after the occurrence of a vacancy on the county board that must be filled at a special election, the County Council shall adopt a resolution directing that a special primary election and special general election be held in the school board district where the vacancy occurs.

B. The County Council shall consult with the Board of Elections before adopting the resolution.

2. Subject to subparagraph (iii) of this paragraph, the County Council resolution shall specify:

A. The date by which a certificate of candidacy must be filed with the Board of Elections;

B. The date of the special primary election; and

C. The date of the special general election.

3. No later than 7 days after the adoption of the County Council resolution, the Board of Elections shall publish the information contained in the resolution once in at least one newspaper of general circulation.

(iii) 1. A candidate shall file a certificate of candidacy with the Board of Elections no later than 28 days before a special primary election in order to appear on the ballot.

2. The following provisions are subject to subsubparagraph 3 of this subparagraph:

A. A special primary election shall be held on a Tuesday at least 45 days but no later than 60 days after the occurrence of a vacancy.

B. A special general election shall be held on a Tuesday at least 60 days but no later than 90 days after the occurrence of a vacancy.

3. A special election may not be held less than 30 days before a regularly scheduled election.

4. On the day of a special election, polling places shall be open from 7 a.m. to 8 p.m.

(iv) 1. No later than 10 days before a special primary election and special general election, the Board of Elections shall mail a specimen ballot to the household of each registered voter in the school board district where the vacancy occurs.

2. The specimen ballot shall include the names of the candidates in the order and form in which they are to appear on the ballot, together with a statement, not to exceed 500 words, provided by each candidate.

(v) 1. Prince George's County shall fund a special election held under this paragraph.

2. The Board of Elections shall submit a request for a supplemental budget appropriation to the Director of the Office of Management and Budget to cover the cost of a special election no later than 60 days after the election.

(vi) A special election under this paragraph shall be governed by Title 8, Subtitle 8 of the Election Law Article and all other relevant provisions of law relating to the conduct of elections except as otherwise provided in this subtitle or where such construction would be unreasonable.]

(6) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF A SEAT HELD BY AN ELECTED MEMBER OF THE COUNTY BOARD BECOMES VACANT, THE COUNTY EXECUTIVE SHALL APPOINT A QUALIFIED INDIVIDUAL TO FILL THE SEAT FOR THE REMAINDER OF THE TERM.

(II) THE COUNTY COUNCIL SHALL REQUIRE A TWO-THIRDS VOTE OF ALL MEMBERS OF THE COUNTY COUNCIL TO REJECT AN APPOINTMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

[(h)] (I) (1) With the approval of the Governor, the State Board may remove a member of the county board for any of the following reasons:

- (i) Immorality;
- (ii) Misconduct in office;
- (iii) Incompetency; or
- (iv) Willful neglect of duty.

(2) Before removing a member, the State Board shall send the member a copy of the charges pending and give the member an opportunity within 10 days to request a hearing.

(3) If the member requests a hearing within the 10-day period:

(i) The State Board promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Board sends the member a notice of the hearing; and

(ii) The member shall have an opportunity to be heard publicly before the State Board in the member's own defense, in person or by counsel.

(4) A member removed under this subsection has the right to judicial review of the removal by the Circuit Court for Prince George's County based on an administrative record and such additional evidence as would be authorized by § 10-222(f) and (g) of the State Government Article.

[(i)] (J) While serving on the county board, a member may not be a candidate for a public office other than a position on the county board.

3-1003.

(a) (1) From and after December 4, 2006, at the beginning of each member's full term, the chair of the county board is entitled to receive \$19,000 annually as compensation and the other elected AND APPOINTED members are each entitled to receive \$18,000 annually as compensation.

(2) Each elected AND APPOINTED member of the county board may be provided health insurance and other fringe benefits regularly provided to employees of the Board of Education under the same terms and conditions extended to other employees of the Board of Education.

(b) (1) After submitting vouchers under the rules and regulations adopted by the county board, the chair and the other members, including the student member, are entitled to the allowances for travel and other expenses provided in the Prince George's County budget.

(2) A member of the county board may not be reimbursed more than \$7,000 in travel and other expenses incurred in a single fiscal year.

3-1004.

(a) (1) The [county board shall hold an annual meeting on the first Monday in December to elect] COUNTY EXECUTIVE SHALL APPOINT a chair and vice chair OF THE COUNTY BOARD from among [its] THE members OF THE COUNTY BOARD.

(2) THE COUNTY EXECUTIVE SHALL SELECT THE VICE CHAIR FROM AMONG THE ELECTED MEMBERS OF THE COUNTY BOARD.

(3) THE TERM OF THE CHAIR AND VICE CHAIR APPOINTED UNDER THIS SUBSECTION SHALL BE 2 YEARS.

(b) SUBJECT TO THE PROVISIONS OF § 4-403 OF THIS ARTICLE, THE AFFIRMATIVE VOTE OF THE MEMBERS OF THE COUNTY BOARD FOR THE PASSAGE OF A MOTION BY THE COUNTY BOARD SHALL BE:

(1) Except as otherwise provided in paragraph (2) of this subsection[, the affirmative vote of the members of the county board for the passage of a motion by the county board shall be]:

(i) [~~Six~~] EIGHT members when the student member is voting;
or

(ii) [~~Five~~] SEVEN members when the student member is not voting.

(2) When there are two or more vacancies on the county board[, the affirmative vote of the members of the county board for the passage of a motion by the board shall be]:

(i) [~~Five~~] SEVEN members when the student member is voting;
or

(ii) [~~Four~~] SIX members when the student member is not voting.

4-101.

(a) [~~Educational~~] SUBJECT TO THE PROVISIONS OF SUBTITLE 4 OF THIS TITLE, EDUCATIONAL matters that affect the counties shall be under the control of a county board of education in each county.

(b) Each county board shall seek in every way to promote the interests of the schools under its jurisdiction.

4-102.

(a) (1) Except in Baltimore City, the county superintendent is the executive officer, secretary, and treasurer of the county board.

(2) (i) In Baltimore City, the Chief Executive Officer of the Baltimore City Board of School Commissioners is the executive officer, secretary, and treasurer of the Board of School Commissioners.

(ii) The Chief Executive Officer shall have the powers and duties imposed under this article.

(iii) The Chief Executive Officer is not a public officer under the Constitution or the laws of the State.

(3) (I) IN PRINCE GEORGE’S COUNTY, THE COUNTY SUPERINTENDENT IS THE CHIEF EXECUTIVE OFFICER OF THE PRINCE GEORGE’S COUNTY PUBLIC SCHOOL SYSTEM.

(II) THE CHIEF EXECUTIVE OFFICER IS THE EXECUTIVE OFFICER, SECRETARY, AND TREASURER OF THE COUNTY BOARD.

(III) THE CHIEF EXECUTIVE OFFICER SHALL HAVE THE POWERS AND DUTIES IMPOSED UNDER THIS ARTICLE.

(IV) THE CHIEF EXECUTIVE OFFICER IS NOT A PUBLIC OFFICER UNDER THE CONSTITUTION OR THE LAWS OF THE STATE.

[(3)] (4) A county superintendent is not a public officer under the Constitution or the laws of the State.

4–120.

(a) [If] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IF a county board considers it practicable, it shall consolidate schools.

(b) [Each] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, EACH county board shall arrange for the transportation of students to and from consolidated schools.

(C) IN PRINCE GEORGE’S COUNTY, THE CHIEF EXECUTIVE OFFICER SHALL HAVE THE AUTHORITY TO:

(1) CONSOLIDATE SCHOOLS IF CONSIDERED PRACTICABLE; AND

(2) ARRANGE FOR THE TRANSPORTATION OF STUDENTS TO AND FROM CONSOLIDATED SCHOOLS.

4-201.

(a) **(1) This section does not apply to Baltimore City.**

(2) SUBSECTIONS (B), (C), (D), AND (F) OF THIS SECTION DO NOT APPLY IN PRINCE GEORGE'S COUNTY.

(b) **(1) The term of a county superintendent is 4 years beginning on July 1. A county superintendent continues to serve until a successor is appointed and qualifies.**

(2) By February 1 of the year in which a term ends, the county superintendent shall notify the county board whether the superintendent is a candidate for reappointment.

(3) In the year in which a term begins, the county board shall appoint a county superintendent between February 1 and June 30. However, if the county board decides to reappoint the incumbent superintendent, the county board shall take final action at a public meeting no later than March 1 of that year.

(4) If a county board is unable to appoint a county superintendent by July 1 of a year in which a term begins, the provisions of subsection (d) of this section apply.

(c) **(1) An individual may not be appointed as county superintendent unless he:**

(i) Is eligible to be issued a certificate for the office by the State Superintendent;

(ii) Has graduated from an accredited college or university; and

(iii) Has completed 2 years of graduate work at an accredited college or university, including public school administration, supervision, and methods of teaching.

(2) The appointment of a county superintendent is not valid unless approved in writing by the State Superintendent.

(3) If the State Superintendent disapproves an appointment, he shall give his reasons for disapproval in writing to the county board.

(d) If a vacancy occurs in the office of county superintendent, the county board shall appoint an interim county superintendent who serves until July 1 after his appointment.

(e) (1) The State Superintendent may remove a county superintendent for:

(i) Immorality;

(ii) Misconduct in office;

(iii) Insubordination;

(iv) Incompetency; or

(v) Willful neglect of duty.

(2) Before removing a county superintendent, the State Superintendent shall send the county superintendent a copy of the charges against the county superintendent and give the county superintendent an opportunity within 10 days to request a hearing.

(3) If the county superintendent requests a hearing within the 10-day period:

(i) The State Superintendent promptly shall hold a hearing, but a hearing may not be set within 10 days after the State Superintendent sends the county superintendent a notice of the hearing; and

(ii) The county superintendent shall have an opportunity to be heard publicly before the State Superintendent in the county superintendent's own defense, in person or by counsel.

(f) On notification of pending criminal charges against a county superintendent as provided under § 4-206 of this subtitle, the county board may suspend the county superintendent with pay until the final disposition of the criminal charges.

4-201.1.

(A) THIS SECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

(B) SUBJECT TO THE PROVISIONS OF SUBSECTION (E) OF THIS SECTION, THE CHIEF EXECUTIVE OFFICER OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM SHALL BE:

(1) SELECTED BY THE COUNTY EXECUTIVE IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION; AND

(2) APPOINTED BY THE COUNTY BOARD AFTER AGREEMENT ON CONTRACT TERMS NEGOTIATED BY THE CHAIR OF THE COUNTY BOARD.

(C) (1) THE COUNTY EXECUTIVE SHALL SELECT A CHIEF EXECUTIVE OFFICER FROM A LIST OF THREE NOMINEES RECOMMENDED BY A SEARCH COMMITTEE THAT IS COMPRISED OF:

(I) ONE MEMBER OF THE STATE BOARD, APPOINTED BY THE STATE SUPERINTENDENT; AND

(II) TWO RESIDENTS OF PRINCE GEORGE'S COUNTY, APPOINTED BY THE GOVERNOR.

(2) THE SEARCH COMMITTEE SHALL BE CHAIRED BY A MEMBER SELECTED BY THE STATE SUPERINTENDENT.

(D) (1) THE TERM OF THE CHIEF EXECUTIVE OFFICER IS 4 YEARS BEGINNING ON JULY 1.

(2) THE CHIEF EXECUTIVE OFFICER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.

(3) BY FEBRUARY 1 OF THE YEAR IN WHICH A TERM ENDS, THE CHIEF EXECUTIVE OFFICER SHALL NOTIFY THE COUNTY EXECUTIVE AND THE COUNTY BOARD IF THE CHIEF EXECUTIVE OFFICER IS A CANDIDATE FOR REAPPOINTMENT.

(4) (I) IN THE YEAR A TERM BEGINS, THE COUNTY EXECUTIVE SHALL SELECT A CHIEF EXECUTIVE OFFICER BETWEEN FEBRUARY 1 AND JUNE 1, AND THE COUNTY BOARD SHALL COMPLETE THE APPOINTMENT ON OR BEFORE JUNE 30.

(II) IF THE COUNTY EXECUTIVE DECIDES TO SELECT THE INCUMBENT CHIEF EXECUTIVE OFFICER, THE COUNTY BOARD SHALL COMPLETE THE REAPPOINTMENT NO LATER THAN MARCH 1 OF THAT YEAR.

(5) IF THE COUNTY BOARD IS UNABLE TO APPOINT A CHIEF EXECUTIVE OFFICER BY JULY 1 OF THE YEAR A TERM BEGINS, THE PROVISIONS OF SUBSECTION (F) OF THIS SECTION APPLY.

(E) (1) AN INDIVIDUAL MAY NOT BE APPOINTED AS CHIEF EXECUTIVE OFFICER UNLESS THE INDIVIDUAL:

(I) IS ELIGIBLE TO BE ISSUED A CERTIFICATE FOR THE OFFICE BY THE STATE SUPERINTENDENT;

(II) HAS GRADUATED FROM AN ACCREDITED COLLEGE OR UNIVERSITY; AND

(III) HAS COMPLETED 2 YEARS OF GRADUATE WORK AT AN ACCREDITED COLLEGE OR UNIVERSITY, INCLUDING PUBLIC SCHOOL ADMINISTRATION, SUPERVISION, AND METHODS OF TEACHING.

(2) THE APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER IS NOT VALID UNLESS APPROVED IN WRITING BY THE STATE SUPERINTENDENT.

(3) IF THE STATE SUPERINTENDENT DISAPPROVES AN APPOINTMENT, THE STATE SUPERINTENDENT SHALL GIVE THE REASONS FOR DISAPPROVAL IN WRITING TO THE COUNTY BOARD AND THE COUNTY EXECUTIVE.

(F) IF A VACANCY OCCURS IN THE OFFICE OF CHIEF EXECUTIVE OFFICER, THE COUNTY EXECUTIVE SHALL SELECT AND THE COUNTY BOARD SHALL APPOINT AN INTERIM CHIEF EXECUTIVE OFFICER TO SERVE UNTIL JULY 1 AFTER THE APPOINTMENT.

(G) ON NOTIFICATION OF PENDING CRIMINAL CHARGES AGAINST THE CHIEF EXECUTIVE OFFICER AS PROVIDED UNDER § 4-206 OF THIS SUBTITLE, THE COUNTY BOARD MAY SUSPEND THE CHIEF EXECUTIVE OFFICER WITH PAY UNTIL THE FINAL DISPOSITION OF THE CRIMINAL CHARGES.

4-202.

(a) (1) [Each] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH county superintendent is entitled to the compensation set by the county board.

(2) IN PRINCE GEORGE'S COUNTY, THE CHIEF EXECUTIVE OFFICER IS ENTITLED TO THE COMPENSATION SET BY THE CONTRACT WITH THE COUNTY BOARD.

(b) (1) The salary of a county superintendent may not be decreased during his term of office.

(2) Each county superintendent shall devote full time to public school business.

4-204.

(a) (1) [Acting] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, ACTING under the rules and regulations of the county board, the county superintendent is responsible for the administration of his office.

(2) IN PRINCE GEORGE’S COUNTY, THE CHIEF EXECUTIVE OFFICER IS RESPONSIBLE FOR THE ADMINISTRATION OF THE OFFICE OF THE CHIEF EXECUTIVE OFFICER, INCLUDING HIRING AND SETTING THE SALARIES OF THE EXECUTIVE STAFF.

(b) As the executive officer of the county board, the county superintendent shall see that the following are carried out:

- (1) The laws relating to the schools;
- (2) The applicable enacted and published bylaws of the State Board;
- (3) The policies of the State Board;
- (4) The rules and regulations of the county board; and
- (5) The policies of the county board.

4-206.

(a) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A county superintendent shall immediately notify the county board in writing of any criminal charges that are punishable by a period of incarceration brought against the county superintendent.

(2) IN PRINCE GEORGE’S COUNTY, THE CHIEF EXECUTIVE OFFICER SHALL IMMEDIATELY NOTIFY THE COUNTY EXECUTIVE AND THE COUNTY BOARD IN WRITING OF ANY CRIMINAL CHARGES THAT ARE PUNISHABLE BY A PERIOD OF INCARCERATION BROUGHT AGAINST THE CHIEF EXECUTIVE OFFICER.

(b) The notification required under subsection (a) of this section shall include a copy of all charging documents served on the county superintendent or the county superintendent’s counsel.

(c) Any county superintendent who violates subsections (a) and (b) of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$100 and revocation of any professional certification issued by the Department.

SUBTITLE 4. PRINCE GEORGE'S COUNTY.

4-401.

THE PURPOSE OF THE COUNTY BOARD IS TO:

(1) RAISE THE LEVEL OF ACADEMIC ACHIEVEMENT OF THE STUDENTS IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM; AND

(2) RAISE THE LEVEL OF ENGAGEMENT OF THE PARENTS, STUDENTS, AND COMMUNITY AS A WHOLE.

4-402.

(A) IN ADDITION TO THE OTHER POWERS GRANTED TO, AND DUTIES IMPOSED ON, A COUNTY SUPERINTENDENT UNDER THIS ARTICLE, THE CHIEF EXECUTIVE OFFICER HAS THE RESPONSIBILITIES AND POWERS SET FORTH IN THIS SECTION.

(B) THE CHIEF EXECUTIVE OFFICER SHALL BE RESPONSIBLE FOR:

(1) THE OVERALL ADMINISTRATION OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM;

(2) SUBJECT TO THE PROVISIONS OF TITLE 6 OF THIS ARTICLE, AND AFTER A BUDGET IS SUBMITTED BY THE COUNTY BOARD AND APPROVED BY THE COUNTY COUNCIL AT THE BEGINNING OF EACH FISCAL YEAR, THE DAY-TO-DAY MANAGEMENT AND OVERSIGHT OF THE FISCAL AFFAIRS OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM, INCLUDING THE MANAGEMENT OF ACTIVITIES RELATED TO:

(i) ADMINISTRATION;

- (II) MID-LEVEL ADMINISTRATION;
 - (III) INSTRUCTIONAL SALARIES;
 - (IV) TEXTBOOKS AND OTHER CLASSROOM INSTRUCTIONAL SUPPLIES;
 - (V) INSTRUCTIONAL COSTS;
 - (VI) SPECIAL EDUCATION;
 - (VII) STUDENT PERSONNEL SERVICES;
 - (VIII) HEALTH SERVICES;
 - (IX) STUDENT TRANSPORTATION;
 - (X) OPERATION OF PLANTS AND EQUIPMENT;
 - (XI) PLANT MAINTENANCE;
 - (XII) FIXED CHARGES;
 - (XIII) FOOD SERVICES; AND
 - (XIV) CAPITAL PLANNING AND EXPENDITURES; AND
- (3) THE DEVELOPMENT AND IMPLEMENTATION OF THE CURRICULUM TAUGHT AND THE INSTRUCTION PROVIDED IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM.
- (C) THE CHIEF EXECUTIVE OFFICER:
- (1) SHALL HIRE AND SET THE SALARIES OF A CHIEF OPERATING OFFICER, A CHIEF FINANCIAL OFFICER, A CHIEF ACADEMIC OFFICER, A CHIEF

OF STAFF, A BOARD LIAISON, AND ANY OTHER NECESSARY EXECUTIVE STAFF IN THE OFFICE OF THE CHIEF EXECUTIVE OFFICER; AND

(2) MAY DELEGATE THE RESPONSIBILITIES ESTABLISHED UNDER SUBSECTION (B) OF THIS SECTION TO APPROPRIATELY QUALIFIED INDIVIDUALS AS DETERMINED AND DEEMED NECESSARY BY THE CHIEF EXECUTIVE OFFICER.

(D) (1) THE CHIEF EXECUTIVE OFFICER SHALL ENTER INTO A MEMORANDUM OF UNDERSTANDING THAT RELATES TO THE PROVISION OF POLICY ANALYSIS AND ADVICE TO THE COUNTY BOARD WITH THE FOLLOWING INSTITUTIONS OF HIGHER EDUCATION:

(I) THE UNIVERSITY OF MARYLAND, COLLEGE PARK;

(II) THE UNIVERSITY OF MARYLAND UNIVERSITY COLLEGE;

(III) BOWIE STATE UNIVERSITY; AND

(IV) PRINCE GEORGE'S COMMUNITY COLLEGE.

(2) THE CHIEF EXECUTIVE OFFICER MAY INCLUDE ADDITIONAL INSTITUTIONS OF HIGHER EDUCATION IN THE MEMORANDUM OF UNDERSTANDING REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

4-403.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE COUNTY BOARD MAY NOT IMPLEMENT A POLICY OR TAKE ANY ACTION THAT CONTRADICTS THE DAY-TO-DAY MANAGEMENT AND OVERSIGHT OF THE FISCAL AFFAIRS OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM BY THE CHIEF EXECUTIVE OFFICER UNDER THIS SUBTITLE.

(B) EXCEPT FOR PERSONNEL MATTERS AND APPEALS OF PERSONNEL MATTERS IN ACCORDANCE WITH §§ 4-205(C)(2) AND (3) OF THIS TITLE AND 6-202 OF THIS ARTICLE, THE COUNTY BOARD SHALL REQUIRE A TWO-THIRDS

VOTE OF ALL VOTING MEMBERS OF THE COUNTY BOARD TO TAKE AN ACTION THAT IS CONTRARY TO AN ACTION OF THE CHIEF EXECUTIVE OFFICER.

6–201.

(a) (1) [The] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE county board shall employ individuals in the positions that the county board considers necessary for the operation of the public schools in the county.

(2) IN PRINCE GEORGE’S COUNTY, THE CHIEF EXECUTIVE OFFICER OF THE PRINCE GEORGE’S COUNTY PUBLIC SCHOOL SYSTEM SHALL HIRE AND SET THE SALARIES OF A CHIEF OPERATING OFFICER, A CHIEF FINANCIAL OFFICER, A CHIEF ACADEMIC OFFICER, A CHIEF OF STAFF, A BOARD LIAISON, AND ANY OTHER NECESSARY EXECUTIVE STAFF IN THE OFFICE OF THE CHIEF EXECUTIVE OFFICER.

(b) (1) [The] EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, THE county superintendent shall nominate for appointment by the county board:

(i) All professional assistants of the office of county superintendent; and

(ii) All principals, teachers, and other certificated personnel.

(2) As to these personnel, the county superintendent shall:

(i) Assign them to their positions in the schools;

(ii) Transfer them as the needs of the schools require;

(iii) Recommend them for promotion; and

(iv) Suspend them for cause and recommend them for dismissal in accordance with § 6–202 of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The County Executive of Prince George's County and the Prince George's County Council shall appoint the new members and the chair and vice chair of the Prince George's County Board of Education in accordance with §§ 3-1002 and 3-1004 of the Education Article, as enacted by Section 1 of this Act, as soon as practicable and no later than June 1, 2013.

(b) To fill the current vacancy in the office of the Prince George's County Superintendent of Schools:

(1) a search committee shall be appointed in accordance with § 4-201.1(c) of the Education Article, as enacted by Section 1 of this Act, as soon as practicable and no later than June 1, 2013;

(2) in developing a list of three nominees recommended for the new Chief Executive Officer of the Prince George's County public school system, the search committee shall review any data regarding potential candidates that has been collected and provided by a search firm since September 2012;

(3) the chair of the Prince George's County Board of Education, appointed by the County Executive under § 3-1004 of the Education Article, as enacted by Section 1 of this Act, shall negotiate the terms of the contract of the new Chief Executive Officer, including a requirement that the Chief Executive Officer attend the meetings of the County Executive's Cabinet; and

(4) notwithstanding the dates set out in § 4-201.1(d) and (f) of the Education Article as enacted by Section 1 of this Act, the County Executive may select and the Prince George's County Board of Education may appoint the new Chief Executive Officer after July 1, 2013, to a 4-year term ending June 30, 2017.

SECTION 3. AND BE IT FURTHER ENACTED, That the Chief Executive Officer of the Prince George's County public school system and the Prince George's County Board of Education shall hire a consultant to conduct a school utilization study and, on or before December 1, 2014, make recommendations regarding the geographical attendance areas for, or consolidation of, schools to the Chief Executive Officer, the county board, the County Executive of Prince George's County, and the Prince George's County Council.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) On or before December 31, 2013, the County Executive of Prince George’s County, the Chief Executive Officer of the Prince George’s County public school system, and the Prince George’s County Board of Education shall submit an interim report on the implementation of this Act, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the House Committee on Ways and Means, the Prince George’s County Senators, and the Prince George’s County Delegation.

(b) On or before December 31, 2017, the County Executive, the Chief Executive Officer, and the Prince George’s County Board of Education shall submit a final report on academic progress and improvement in the management of the Prince George’s County public school system, and recommendations concerning the continuation, modification, or termination of the governance system established by this Act for the public school system, in accordance with § 2–1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the House Committee on Ways and Means, the Prince George’s County Senators, and the Prince George’s County Delegation.

(c) During the 2018 regular legislative session, the General Assembly shall deliberate and determine whether the provisions of this Act shall be terminated and of no further force and effect. If the General Assembly does not take any action to terminate this Act, the provisions of this Act shall continue to be in full force and effect.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea 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 2 amendments were read and adopted.

Favorable report, as amended, adopted by a roll call vote as follows:

Affirmative – 36 Negative – 8 (See Roll Call No. 1021)

Read the second time and ordered prepared for Third Reading.

Senator Muse moved, duly seconded, to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

CONCURRENCE CALENDAR #7

AMENDED IN THE HOUSE

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~~ Zirkin, ~~and Jones-Rodwell~~ Jones-Rodwell, and McFadden

AN ACT concerning

Firearm Safety Act of 2013

Senator Frosh moved that the Senate concur in the House amendments.

SB0281/123422/1

BY: Delegate Dumais

AMENDMENTS TO SENATE BILL 281

(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 10, in lines 31 and 32, strike “MEMBERS OF THE MARYLAND DEFENSE FORCE”.

On page 25, in line 15, strike the first comma and substitute “OR”; and in lines 15 and 16, strike “, OR THE MARYLAND DEFENSE FORCE”.

On page 26, in line 5, strike the first comma and substitute “OR”; and in lines 5 and 6, strike “, OR THE MARYLAND DEFENSE FORCE”.

AMENDMENT NO. 2

On page 26, in line 17, strike “(I)”; in the same line, strike “OR”; and strike in their entirety lines 18 through 20, inclusive.

On page 32, in line 1, strike “1.”; in the same line, strike “OR”; and strike in their entirety lines 2 through 4, inclusive.

The preceding 2 amendments were read and concurred in.

SB0281/283523/1

BY: Delegate Dumais

AMENDMENT TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

On page 18, in line 20, after “JUDGMENT” insert “:

(I)”;

and in the same line, after “DEGREE” insert “; OR

(II) THAT WAS EXPUNGED UNDER TITLE 10, SUBTITLE 1 OF THE CRIMINAL PROCEDURE ARTICLE”.

The preceding amendment was read and concurred in.

SB0281/173823/1

BY: Delegate Oaks

AMENDMENT TO SENATE BILL 281, AS AMENDED

In Delegate Oaks’ Amendment (SB0281/743421/1), in line 13, after “PROCESS” insert “:

(IV) AN INDIVIDUAL MAY NOT BE CHARGED A FEE FOR THE EXPUNGEMENT OF A FINGERPRINT RECORD IN ACCORDANCE WITH THIS PARAGRAPH”.

The preceding amendment was read and concurred in.

SB0281/423625/3

BY: Delegate Dumais

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 12, in line 12, after "FACILITY" insert "OR ENTITY".

On page 14, in line 22, after "FACILITY" insert "OR ENTITY".

AMENDMENT NO. 2

On page 13, in lines 5 and 6, strike "OR PLACED A VERIFIABLE PURCHASE ORDER FOR" and substitute ", HAS A PURCHASE ORDER FOR, OR COMPLETED AN APPLICATION TO PURCHASE"; and in line 10, strike "CONTINUE TO".

AMENDMENT NO. 3

On page 21, in lines 1 and 2, strike "AND RECOGNIZED BY A NATIONAL ORGANIZATION" and substitute "BY A NATIONALLY RECOGNIZED FIREARMS ORGANIZATION".

The preceding 3 amendments were read and concurred in.

SB0281/483927/1

BY: Delegate McDermott

AMENDMENT TO SENATE BILL 281

(Third Reading File Bill – Committee Reprint)

On page 27, strike beginning with "QUALIFICATION" in line 4 down through "THE" in line 6 and substitute "ORIENTATION COMPONENT THAT DEMONSTRATES THE PERSON'S SAFE OPERATION AND HANDLING OF A".

The preceding amendment was read and concurred in.

SB0281/743421/1

BY: Delegate Oaks

AMENDMENT TO SENATE BILL 281

(Third Reading File Bill – Committee Reprint)

On page 30, in line 1, after "(H)" insert "(1)"; in lines 3, 5, 6, and 7, strike "(1)", "(2)", "(I)", and "(II)", respectively, and substitute "(I)", "(II)", "1.", and "2.", respectively; and after line 8, insert:

“(2) (I) AN INDIVIDUAL WHOSE FINGERPRINTS HAVE BEEN SUBMITTED TO THE CENTRAL REPOSITORY, AND WHOSE APPLICATION HAS BEEN DENIED, MAY REQUEST THAT THE RECORD OF THE FINGERPRINTS BE EXPUNGED BY OBLITERATION.

(II) PROCEEDINGS TO EXPUNGE A RECORD UNDER THIS PARAGRAPH SHALL BE CONDUCTED IN ACCORDANCE WITH § 10-105 OF THE CRIMINAL PROCEDURE ARTICLE.

(III) ON RECEIPT OF AN ORDER TO EXPUNGE A FINGERPRINT RECORD, THE CENTRAL REPOSITORY SHALL EXPUNGE BY OBLITERATION THE FINGERPRINTS SUBMITTED AS PART OF THE APPLICATION PROCESS.”.

The preceding amendment was read and concurred in.

SB0281/563221/1

BY: Delegate Dumais

AMENDMENT TO SENATE BILL 281

(Third Reading File Bill – Committee Reprint)

On page 53, in lines 9, 11, 14, 17, 21, and 22, in each instance, before **“FIREARM”** insert **“REGULATED”**.

The preceding amendment was read and concurred in.

SB0281/783627/1

BY: Delegate Dumais

AMENDMENT TO SENATE BILL 281

(Third Reading File Bill – Committee Reprint)

On page 38, in line 2, after “Guard” insert **“while performing official duties”**.

The preceding amendment was read and concurred in.

SB0281/923327/1

BY: Delegate Dumais

AMENDMENTS TO SENATE BILL 281
(Third Reading File Bill – Committee Reprint)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “establishing a certain exception to the prohibition against carrying a deadly weapon on public school property;”.

On page 4, in line 3, after “Section” insert “4-102.”; and in the same line, after “4-203(b)” insert a comma.

AMENDMENT NO. 2

On page 5, after line 7, insert:

“4-102.

(a) This section does not apply to:

(1) a law enforcement officer in the regular course of the officer’s duty;

(2) AN OFF-DUTY LAW ENFORCEMENT OFFICER WHO IS A PARENT, GUARDIAN, OR VISITOR OF A STUDENT ATTENDING A SCHOOL LOCATED ON THE PUBLIC SCHOOL PROPERTY, PROVIDED THAT:

(I) THE OFFICER IS DISPLAYING THE OFFICER’S BADGE OR CREDENTIAL; AND

(II) THE WEAPON CARRIED OR POSSESSED BY THE OFFICER IS CONCEALED;

[(2)](3) a person hired by a county board of education specifically for the purpose of guarding public school property;

[(3)](4) a person engaged in organized shooting activity for educational purposes; or

[(4)](5) a person who, with a written invitation from the school principal, displays or engages in a historical demonstration using a weapon or a replica of a weapon for educational purposes.

(b) A person may not carry or possess a firearm, knife, or deadly weapon of any kind on public school property.

(c) (1) Except as provided in paragraph (2) of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding \$1,000 or both.

(2) A person who is convicted of carrying or possessing a handgun in violation of this section shall be sentenced under Subtitle 2 of this title.”.

The preceding 2 amendments were read and concurred in.

SB0281/322711/3

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 281

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “of” insert “making it a misdemeanor to possess or use certain firearm ammunition during and in relation to the commission of a certain crime of violence;”; strike beginning with “providing” in line 14 down through “circumstances;” in line 15; and in line 17, after “firearm” insert “, with certain exceptions”.

On page 2, in line 1, strike “or consign”; in line 4, after “times;” insert “repealing certain duties of the Police Training Commission relating to a certain firearms safety training course;”; in line 8, strike “requiring that” and substitute “requiring the Secretary to include certain information in a certain notice if a State-regulated firearms dealer’s license application is denied; authorizing”; in the same line, after “Secretary” insert “to”; in line 10, after “requirements;” insert “authorizing the Secretary to lift a certain license suspension under certain circumstances;”; and strike beginning with “requiring” in line 37 down through “understanding” in line 38 and substitute “authorizing the Secretary of Health and Mental Hygiene to adopt certain”.

regulations; providing that certain individuals may not be held criminally or civilly liable for certain actions”.

On page 3, in line 4, after “time;” insert “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;”; in line 13, after “circumstances;” insert “prohibiting public inspection of the records of certain regulated firearm dealers, owners, or permit holders; authorizing the individual named in the record and the individual’s attorney to view certain records; providing that this Act does not prohibit the Department of Public Safety and Correctional Services and the Department of State Police from accessing certain records in the performance of official duties;”; in line 14, after “terms;” insert “requiring the Department of State Police to make certain investigations and to report its findings to the Governor and the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act;”; after line 14, insert:

“BY adding to

Article – Criminal Law

Section 4–110

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”;

in line 33, after “Section” insert “3–208;”; in the same line, after “5–110(a)” insert “and (b)”; in line 39, strike “and”; and in line 40, after “5–145” insert “, and 5–146”.

On page 4, after line 5, insert:

“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)”.

AMENDMENT NO. 2

On page 4, after line 8, insert:

“4–110.

(A) IN THIS SECTION, “RESTRICTED FIREARM AMMUNITION” MEANS A CARTRIDGE, A SHELL, OR ANY OTHER DEVICE THAT:

(1) CONTAINS EXPLOSIVE OR INCENDIARY MATERIAL DESIGNED AND INTENDED FOR USE IN A FIREARM; AND

(2) HAS A CORE CONSTRUCTED, EXCLUDING TRACES OF OTHER SUBSTANCES, ENTIRELY FROM ONE OR A COMBINATION OF:

(I) TUNGSTEN ALLOYS;

(II) STEEL;

(III) IRON;

(IV) BRASS;

(V) BERYLLIUM COPPER;

(VI) DEPLETED URANIUM; OR

(VII) AN EQUIVALENT MATERIAL OF SIMILAR DENSITY OR HARDNESS.

(B) A PERSON MAY NOT, DURING AND IN RELATION TO THE COMMISSION OF A CRIME OF VIOLENCE AS DEFINED IN § 14–101 OF THIS ARTICLE, POSSESS OR USE RESTRICTED FIREARM AMMUNITION.

(C) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

AMENDMENT NO. 3

On page 6, in line 8, strike the brackets.

On page 7, strike beginning with “A” in line 7 down through “2.” in line 9; in line 10, strike “OR TELESCOPING”; in lines 11 and 12, strike “3.” and “4.”, respectively, and substitute “2.” and “3.”, respectively; in line 11, after “LAUNCHER;” insert “OR”; in line 12, strike “OR”; strike line 13 in its entirety; and in line 17, strike “30” and substitute “29”.

On pages 7 and 8, strike in their entirety the lines beginning with line 18 on page 7 through line 2 on page 8, inclusive.

On page 8, in lines 3, 5, and 10, strike “(V)”, “(VI)”, and “(VII)”, respectively, and substitute “(IV)”, “(V)”, and “(VI)”, respectively; in line 5, strike the colon; in line 6, strike “1.”; in the same line, strike “OR TELESCOPING”; strike beginning with “AND” in line 6 down through “HANDGRIP;” in line 9; strike in their entirety lines 20 and 21; in line 22, strike “(I)” and substitute “(H)”; and strike in their entirety lines 25 through 29, inclusive.

On page 9, in line 9, after “POSSESSION,” insert “IMPORTATION,”; in line 10, after “MANUFACTURE,” insert “STORAGE,”; and in line 16, after “state” insert “**OR TO AN INDIVIDUAL PURCHASER IN ANOTHER STATE THROUGH A LICENSED FIREARMS DEALER**”.

AMENDMENT NO. 4

On page 10, in line 6, strike “OR”; and in line 10, after “ARTICLE” insert “; OR

(9) POSSESSION, RECEIPT, AND TESTING BY, OR SHIPPING TO OR FROM:

(I) AN ISO 17025 ACCREDITED, NATIONAL INSTITUTE OF JUSTICE-APPROVED BALLISTICS TESTING LABORATORY; OR

(II) A FACILITY THAT MANUFACTURES OR PROVIDES RESEARCH AND DEVELOPMENT TESTING, ANALYSIS, OR ENGINEERING FOR PERSONAL PROTECTIVE EQUIPMENT OR VEHICLE PROTECTION SYSTEMS”.

On page 12, after line 6, insert:

“(4) A PERSON MAY TRANSPORT AN ASSAULT WEAPON TO OR FROM:

(I) AN ISO 17025 ACCREDITED, NATIONAL INSTITUTE OF JUSTICE-APPROVED BALLISTICS TESTING LABORATORY; OR

(II) A FACILITY THAT MANUFACTURES OR PROVIDES RESEARCH AND DEVELOPMENT TESTING, ANALYSIS, OR ENGINEERING FOR PERSONAL PROTECTIVE EQUIPMENT OR VEHICLE PROTECTION SYSTEMS.”;

in line 12, after “to” insert “:

(1);

and in the same line, after “magazine” insert “;OR

(2) A LAW ENFORCEMENT OFFICER OR A PERSON WHO RETIRED IN GOOD STANDING FROM SERVICE WITH A LAW ENFORCEMENT AGENCY OF THE UNITED STATES, THE STATE, OR ANY LAW ENFORCEMENT AGENCY IN THE STATE”.

AMENDMENT NO. 5

On page 10, in line 25, after “(2)” insert “A LICENSED FIREARMS DEALER MAY CONTINUE TO POSSESS, SELL, OFFER FOR SALE, OR TRANSFER AN ASSAULT LONG GUN OR A COPYCAT WEAPON THAT THE LICENSED FIREARMS DEALER LAWFULLY POSSESSED ON OR BEFORE OCTOBER 1, 2013.

(3);

in line 29, strike “**(I)**”; in the same line, after “**POSSESSED**” insert “**OR PLACED A VERIFIABLE PURCHASE ORDER FOR**”; and strike beginning with “**AND**” in line 30 down through “**2014,**” in line 32.

On page 11, in lines 1 and 3, strike “**1.**” and “**2.**”, respectively, and substitute “**(I)**” and “**(II)**”, respectively.

On pages 11 and 12, strike in their entirety the lines beginning with line 11 on page 11 through line 6 on page 12, inclusive.

On page 13, in lines 11 and 15, in each instance, strike “**ADMISSION**” and substitute “**COMMITMENT**”; in line 16, strike “**(I)**”; and strike beginning with “**; OR**” in line 17 down through “**CONSIGNMENT**” in line 20.

On page 14, after line 12, insert:

“3-208.”

[(a)] Subject to the authority of the Secretary, the Commission has the following powers and duties:

(1) to adopt regulations necessary or appropriate to carry out this subtitle; and

(2) to adopt regulations that establish and enforce standards for prior substance abuse by individuals applying for certification as a police officer.

[(b)] Subject to subsections (c) and (d) of this section, the Commission shall adopt regulations on or before January 1, 2001, for a certified firearms safety training course required for an applicant for a regulated firearms purchase, rental, or transfer made on or after January 1, 2002.

(c) The certified firearms safety training course required under subsection (b) of this section shall:

(1) be offered by the Commission; or

(2) contain a handgun safety component and be conducted by an individual or organization certified by:

(i) the Commission;

(ii) the Department of Natural Resources;

(iii) the Department of State Police; or

(iv) any reputable organization:

1. that has as one of its objectives the promotion of competency and safety in handling handguns; and

2. whose course has been determined by the Commission to meet the regulations adopted by the Commission.

(d) Any course offered by the Commission under subsection (c) of this section:

(1) shall be offered free of charge or fee;

(2) may not be more than 2 hours in duration;

(3) shall be conducted or offered at least once each week in all geographic areas of the State;

(4) shall be available after regular business hours;

(5) shall be open to each individual required by law to complete the firearms safety training course, within 2 weeks after request of the individual;

(6) shall only require attendance throughout the duration of the course in order to complete the course successfully; and

(7) may not require any skills or knowledge testing in the use of a regulated firearm in order to complete the course successfully.】”.

On page 16, strike beginning with “PERSON” in line 18 down through “HANDGUNS” in line 21 and substitute “**CERTIFIED FIREARMS INSTRUCTOR WHO:**

(1) IS RECOGNIZED BY THE MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSIONS;

(2) HAS A QUALIFIED HANDGUN INSTRUCTOR LICENSE ISSUED BY THE SECRETARY; OR

(3) HAS A CERTIFICATION ISSUED AND RECOGNIZED BY A NATIONAL ORGANIZATION".

On page 20, in line 2, after "(a)", insert "**(1)**"; in lines 3 and 4, strike "**(1)**" and "**(2)**", respectively, and substitute "**(I)**" and "**(II)**", respectively; in line 3, strike the brackets; in line 5, strike "**; OR**" and substitute a period; in line 6, strike "**(3)**" and substitute "**(2) (I) THE SECRETARY MAY SUSPEND A DEALER'S LICENSE IF THE LICENSEE**"; after line 7, insert:

"(II) THE SECRETARY MAY LIFT A SUSPENSION UNDER THIS PARAGRAPH AFTER THE LICENSEE PROVIDES EVIDENCE THAT THE RECORD KEEPING VIOLATION HAS BEEN CORRECTED.";

and in line 27, strike "**REGULATED FIREARM**" and substitute "**HANDGUN**".

On page 21, strike beginning with the colon in line 20 down through "**(I)**" in line 21 and substitute a comma; and in lines 24, 26, 27, 28, and 29, strike "**1.**", "**2.**", "**A.**", "**B.**", and "**C.**", respectively, and substitute "**(I)**", "**(II)**", "**1.**", "**2.**", and "**3.**", respectively.

On page 22, in line 1, strike "**(II)**" and substitute "**(III)**"; strike beginning with "**WITHIN**" in line 1 down through "**INCLUDES**" in line 3; after line 16, insert:

"(2) HAS COMPLETED A COURSE OF INSTRUCTION IN COMPETENCY AND SAFETY IN THE HANDLING OF FIREARMS PRESCRIBED BY THE DEPARTMENT OF NATURAL RESOURCES UNDER § 10-301.1 OF THE NATURAL RESOURCES ARTICLE;";

in lines 17, 24, and 26, strike "**(2)**", "**(3)**", and "**(4)**", respectively, and substitute "**(3)**", "**(4)**", and "**(5)**", respectively; strike beginning with "**CURRENTLY**" in line 17 down through "**ORGANIZATION**" in line 23 and substitute "**A QUALIFIED HANDGUN**

INSTRUCTOR”; in line 25, strike the second “OR”; and in line 27, after “ARTICLE” insert “; OR

(6) LAWFULLY OWNS A REGULATED FIREARM”.

On page 24, in line 9, after “PROGRAM” insert “OF”; in the same line, strike “\$25” and substitute “\$50”; in line 10, after “(3)” insert “(I)”; in the same line, after the second “OF” insert “:

1.”;

in line 11, after “SECRETARY” insert “; OR

2. A COURSE OF INSTRUCTION IN COMPETENCY AND SAFETY IN THE HANDLING OF FIREARMS PRESCRIBED BY THE DEPARTMENT OF NATURAL RESOURCES UNDER § 10-301.1 OF THE NATURAL RESOURCES ARTICLE;”;

and in the same line, after “OR” insert:

“(II)”.

On page 26, after line 7, insert:

“(N) THE SECRETARY MAY ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.”.

On page 40, in line 9, strike “30” and substitute “90”.

On page 41, in line 24, strike “THE SECRETARY MAY PROVIDE THAT RECORDS” and substitute “RECORDS”; and in line 26, after “SECTION” insert “, IF THE SECRETARY IS GRANTED ACCESS TO THOSE RECORDS”.

On page 47, strike beginning with “CURRENTLY” in line 18 down through “ORGANIZATION” in line 24 and substitute “A QUALIFIED HANDGUN INSTRUCTOR”.

On page 42, after line 33, insert:

“(3) THE PENALTIES PROVIDED IN THIS SUBSECTION ARE NOT INTENDED TO APPLY TO INCONSEQUENTIAL OR INADVERTENT ERRORS.

5-146.

(A) A DEALER OR ANY OTHER PERSON WHO SELLS OR TRANSFERS A FIREARM SHALL NOTIFY THE PURCHASER OR RECIPIENT OF THE FIREARM AT THE TIME OF PURCHASE OR TRANSFER THAT THE PURCHASER OR RECIPIENT IS REQUIRED TO REPORT A LOST OR STOLEN FIREARM TO THE LOCAL LAW ENFORCEMENT AGENCY AS REQUIRED UNDER SUBSECTION (B) OF THIS SECTION.

(B) IF A FIREARM IS LOST OR STOLEN, THE OWNER OF THE FIREARM SHALL REPORT THE LOSS OR THEFT TO THE LOCAL LAW ENFORCEMENT AGENCY WITHIN 72 HOURS AFTER THE OWNER FIRST DISCOVERS THE LOSS OR THEFT.

(C) ON RECEIPT OF A REPORT OF A LOST OR STOLEN FIREARM, A LOCAL LAW ENFORCEMENT AGENCY SHALL REPORT TO THE SECRETARY AND ENTER INTO THE NATIONAL CRIME INFORMATION CENTER (NCIC) DATABASE, TO THE EXTENT KNOWN, THE CALIBER, MAKE, MODEL, MANUFACTURER, AND SERIAL NUMBER OF THE FIREARM AND ANY OTHER DISTINGUISHING NUMBER OR IDENTIFICATION MARK ON THE FIREARM.

(D) (1) A KNOWING AND WILLFUL FIRST-TIME VIOLATION OF THIS SECTION IS A CIVIL OFFENSE PUNISHABLE BY A FINE NOT EXCEEDING \$500.

(2) A PERSON WHO KNOWINGLY AND WILLFULLY VIOLATES THIS SECTION FOR A SECOND OR SUBSEQUENT TIME IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$500 OR BOTH.

(E) THE IMPOSITION OF A CIVIL OR CRIMINAL PENALTY UNDER THIS SECTION DOES NOT PRECLUDE THE PURSUIT OF ANY OTHER CIVIL REMEDY OR CRIMINAL PROSECUTION AUTHORIZED BY LAW.

AMENDMENT NO. 7

On page 26, strike beginning with the comma in line 24 down through “**ANOTHER**” in line 27.

On page 27, in line 7, strike “**BEFORE OCTOBER 1, 2013, WAS**” and substitute “**HAS**”; in line 8, after “**NEVER**” insert “**BEEN**”; strike in their entirety lines 12 through 18, inclusive; and in lines 19, 22, and 28, strike “**(XIII)**”, “**(XIV)**”, and “**(XV)**”, respectively, and substitute “**(XII)**”, “**(XIII)**”, and “**(XIV)**”, respectively.

On page 29, strike lines 24 through 29 in their entirety and substitute:

“(6) SUFFERS FROM A MENTAL DISORDER AS DEFINED IN § 10–101(F)(2) OF THE HEALTH – GENERAL ARTICLE AND HAS A HISTORY OF VIOLENT BEHAVIOR AGAINST THE PERSON OR ANOTHER;”

On page 30, in line 5, strike “**BEFORE OCTOBER 1, 2013**”; strike in their entirety lines 8 through 19, inclusive, and substitute:

“(10) HAS BEEN INVOLUNTARILY COMMITTED TO A FACILITY AS DEFINED IN § 10–101 OF THE HEALTH – GENERAL ARTICLE;”

in lines 20, 23, and 31, strike “**(12)**”, “**(13)**”, and “**(14)**”, respectively, and substitute “**(11)**”, “**(12)**”, and “**(13)**”, respectively.

AMENDMENT NO. 8

On pages 34 through 40, strike in their entirety the lines beginning with line 23 on page 34 through line 5 on page 40, inclusive, and substitute:

“5–133.3.

(A) IN THIS SECTION, “HEALTH DEPARTMENT” MEANS THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(B) A PERSON SUBJECT TO A REGULATED FIREARMS DISQUALIFICATION UNDER § 5-133(B)(6), (7), (8), (9), (10), OR (11) OF THIS SUBTITLE, A RIFLE OR SHOTGUN DISQUALIFICATION UNDER § 5-205(B)(6), (7), (8), (9), (10), OR (11) OF THIS TITLE, OR PROHIBITED FROM THE SHIPMENT, TRANSPORTATION, POSSESSION, OR RECEIPT OF A FIREARM BY 18 U.S.C. §§ 922(D)(4) OR (G)(4) AS A RESULT OF AN ADJUDICATION OR COMMITMENT THAT OCCURRED IN THE STATE MAY BE AUTHORIZED TO POSSESS A FIREARM IF:

(1) THE PERSON IS NOT SUBJECT TO ANOTHER FIREARMS RESTRICTION UNDER STATE OR FEDERAL LAW; AND

(2) THE HEALTH DEPARTMENT, IN ACCORDANCE WITH THIS SECTION, DETERMINES THAT THE PERSON MAY POSSESS A FIREARM.

(C) A PERSON WHO SEEKS RELIEF FROM A FIREARMS DISQUALIFICATION SHALL FILE AN APPLICATION WITH THE HEALTH DEPARTMENT IN THE FORM AND MANNER SET BY THE HEALTH DEPARTMENT.

(D) AN APPLICATION FOR RELIEF FROM A FIREARMS DISQUALIFICATION SHALL INCLUDE:

(1) A COMPLETE AND ACCURATE STATEMENT EXPLAINING THE REASON WHY THE APPLICANT IS PROHIBITED FROM POSSESSING A REGULATED FIREARM UNDER § 5-133(B)(6), (7), (8), (9), (10), OR (11) OF THIS SUBTITLE OR A RIFLE OR SHOTGUN UNDER § 5-205(B)(6), (7), (8), (9), (10), OR (11) OF THIS TITLE, OR IS PROHIBITED FROM THE SHIPMENT, TRANSPORTATION, POSSESSION, OR RECEIPT OF A FIREARM BY 18 U.S.C. §§ 922(D)(4) OR (G)(4) AS A RESULT OF AN ADJUDICATION OR COMMITMENT THAT OCCURRED IN THE STATE;

(2) A STATEMENT WHY THE APPLICANT SHOULD BE RELIEVED FROM THE PROHIBITION DESCRIBED IN ITEM (1) OF THIS SUBSECTION;

(3) IF THE APPLICANT IS SUBJECT TO A PROHIBITION DESCRIBED IN ITEM (1) OF THIS SUBSECTION, A CERTIFICATE ISSUED WITHIN 30 DAYS OF THE SUBMISSION OF THE APPLICATION ON A FORM APPROVED BY THE HEALTH

DEPARTMENT AND SIGNED BY AN INDIVIDUAL LICENSED IN THE STATE AS A PHYSICIAN WHO IS BOARD CERTIFIED IN PSYCHIATRY OR AS A PSYCHOLOGIST STATING:

(I) THE LENGTH OF TIME THAT THE APPLICANT HAS NOT HAD SYMPTOMS THAT CAUSE THE APPLICANT TO BE A DANGER TO THE APPLICANT OR OTHERS, OR, IF THE DISQUALIFICATION RELATES TO AN INTELLECTUAL DISABILITY, THE LENGTH OF TIME THAT THE APPLICANT HAS NOT ENGAGED IN BEHAVIORS THAT CAUSE THE APPLICANT TO BE A DANGER TO THE APPLICANT OR OTHERS;

(II) THE LENGTH OF TIME THAT THE APPLICANT HAS BEEN COMPLIANT WITH THE TREATMENT PLAN FOR THE APPLICANT'S MENTAL ILLNESS, OR, IF THE DISQUALIFICATION RELATES TO AN INTELLECTUAL DISABILITY, THE LENGTH OF TIME THAT THE APPLICANT HAS BEEN COMPLIANT WITH ANY BEHAVIOR PLAN OR BEHAVIOR MANAGEMENT PLAN;

(III) AN OPINION AS TO WHETHER THE APPLICANT, BECAUSE OF MENTAL ILLNESS, WOULD BE A DANGER TO THE APPLICANT IF ALLOWED TO POSSESS A FIREARM AND A STATEMENT OF REASONS FOR THE OPINION; AND

(IV) AN OPINION AS TO WHETHER THE APPLICANT, BECAUSE OF MENTAL ILLNESS, WOULD BE A DANGER TO ANOTHER PERSON OR POSES A RISK TO PUBLIC SAFETY IF ALLOWED TO POSSESS A FIREARM;

(4) IF THE APPLICANT IS PROHIBITED FROM POSSESSING A FIREARM UNDER § 5-133(B)(11) OF THIS SUBTITLE OR § 5-205(B)(11) OF THIS TITLE:

(I) A COPY OF ALL PLEADINGS, AFFIDAVITS, AND CERTIFICATES SUBMITTED INTO EVIDENCE AT THE GUARDIANSHIP PROCEEDING; AND

(II) ALL ORDERS ISSUED BY THE COURT RELATING TO THE GUARDIANSHIP, INCLUDING, IF APPLICABLE, AN ORDER INDICATING THAT THE GUARDIANSHIP IS NO LONGER IN EFFECT;

(5) A SIGNED AUTHORIZATION, ON A FORM APPROVED BY THE HEALTH DEPARTMENT, ALLOWING THE HEALTH DEPARTMENT TO ACCESS ANY RELEVANT HEALTH CARE, MENTAL HEALTH, DISABILITY, GUARDIANSHIP, AND CRIMINAL JUSTICE RECORDS, INCLUDING COURT ORDERED OR REQUIRED MENTAL HEALTH RECORDS, OF THE APPLICANT FOR USE IN DETERMINING WHETHER THE APPLICANT SHOULD BE RELIEVED FROM A FIREARMS DISQUALIFICATION;

(6) THREE STATEMENTS SIGNED AND DATED WITHIN 30 DAYS OF SUBMISSION TO THE HEALTH DEPARTMENT ON A FORM DESIGNATED BY THE HEALTH DEPARTMENT ATTESTING TO THE APPLICANT'S REPUTATION AND CHARACTER RELEVANT TO FIREARM OWNERSHIP OR POSSESSION INCLUDING:

(I) AT LEAST TWO STATEMENTS PROVIDED BY AN INDIVIDUAL WHO IS NOT RELATED TO THE APPLICANT; AND

(II) CONTACT INFORMATION FOR EACH INDIVIDUAL PROVIDING A STATEMENT; AND

(7) ANY OTHER INFORMATION REQUIRED BY THE HEALTH DEPARTMENT.

(E) THE HEALTH DEPARTMENT MAY NOT APPROVE AN APPLICATION UNDER THIS SECTION IF A DETERMINATION IS MADE THAT:

(1) THE APPLICANT SUPPLIED INCOMPLETE OR FALSE INFORMATION OR MADE A FALSE STATEMENT;

(2) THE APPLICATION IS NOT PROPERLY COMPLETED; OR

(3) ON REVIEW OF THE APPLICATION AND SUPPORTING DOCUMENTATION AND ANY OTHER INFORMATION RELATING TO THE APPLICATION REQUESTED BY THE HEALTH DEPARTMENT, INCLUDING ANY CRIMINAL HISTORY RECORDS AND MENTAL HEALTH RECORDS OF THE APPLICANT, THE APPLICANT HAS NOT SHOWN BY A PREPONDERANCE OF THE

EVIDENCE THAT THE APPLICANT WILL BE UNLIKELY TO ACT IN A MANNER DANGEROUS TO THE APPLICANT OR TO PUBLIC SAFETY AND THAT GRANTING A LICENSE TO POSSESS A REGULATED FIREARM OR AUTHORIZING THE POSSESSION OF A RIFLE OR SHOTGUN WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST.

(F) (1) IF THE HEALTH DEPARTMENT DETERMINES THAT THE APPLICATION SHALL BE APPROVED, THE HEALTH DEPARTMENT SHALL PROVIDE THE APPLICANT WITH A CERTIFICATE AFFIRMING THE APPLICANT'S MENTAL COMPETENCE TO POSSESS A FIREARM.

(2) A CERTIFICATE PROVIDED UNDER PARAGRAPH (1) OF THIS SUBSECTION OR A WRITTEN STATEMENT THAT THE INDIVIDUAL IS NOT MENTALLY COMPETENT TO POSSESS A FIREARM SHALL BE PROVIDED TO THE APPLICANT WITHIN 60 DAYS FROM THE HEALTH DEPARTMENT'S RECEIPT OF A COMPLETED APPLICATION, WHICH INCLUDES ANY RECORDS NECESSARY TO REVIEW AN APPLICATION.

(3) A CERTIFICATE ISSUED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PRESENTED TO THE DEPARTMENT OF STATE POLICE AS EVIDENCE OF THE APPLICANT'S ELIGIBILITY TO POSSESS A FIREARM.

(G) (1) AN APPLICANT WHO IS AGGRIEVED BY THE ACTION OF THE HEALTH DEPARTMENT UNDER SUBSECTION (E) OF THIS SECTION MAY REQUEST A HEARING IN WRITING TO THE SECRETARY OF HEALTH AND MENTAL HYGIENE WITHIN 30 DAYS AFTER THE HEALTH DEPARTMENT MAILS NOTICE OF THE DECISION TO THE APPLICANT.

(2) (I) THE HEARING REQUESTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE HELD IN ACCORDANCE WITH TITLE 10, SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE WITHIN 60 DAYS AFTER THE HEALTH DEPARTMENT RECEIVES THE REQUEST.

(II) AT THE HEARING, THE INFORMATION DESCRIBED IN SUBSECTIONS (D) AND (E) OF THIS SECTION SHALL BE CONSIDERED AND USED TO DETERMINE WHETHER THE APPLICANT, IF ALLOWED TO POSSESS A

FIREARM, WOULD NOT BE LIKELY TO ACT IN A MANNER DANGEROUS TO THE PUBLIC SAFETY AND WHETHER GRANTING THE RELIEF WOULD NOT BE CONTRARY TO THE PUBLIC INTEREST.

(3) (I) JUDICIAL REVIEW OF THE DETERMINATION ON AN APPLICATION UNDER THIS SECTION FOR RELIEF FROM A FIREARMS PROHIBITION MAY BE SOUGHT IN ACCORDANCE WITH §§ 10-222 AND 10-223 OF THE STATE GOVERNMENT ARTICLE.

(II) NOTWITHSTANDING THE PROVISIONS OF § 10-222 OF THE STATE GOVERNMENT ARTICLE, THE CIRCUIT COURT MAY GIVE DEFERENCE TO THE FINAL DECISION OF THE HEALTH DEPARTMENT AND MAY IN ITS DISCRETION RECEIVE ADDITIONAL EVIDENCE THAT IT DETERMINES TO BE NECESSARY TO CONDUCT AN ADEQUATE REVIEW.

(H) THE BOARD OF REVIEW OF THE HEALTH DEPARTMENT DOES NOT HAVE JURISDICTION TO REVIEW A FINAL DECISION OF THE HEALTH DEPARTMENT UNDER THIS SECTION.

(I) AFTER A DETERMINATION ON THE MERITS OF A HEARING REQUESTED UNDER THIS SECTION, AN APPLICANT MAY NOT REQUEST A SUBSEQUENT HEARING WITHIN 1 YEAR AFTER THE COMPLETION OF THE HEARING PROCESS AND ANY JUDICIAL REVIEW OF THE ADMINISTRATIVE DECISION.

(J) THE SECRETARY OF HEALTH AND MENTAL HYGIENE MAY ADOPT REGULATIONS ESTABLISHING FEES TO COVER THE ADMINISTRATIVE COSTS ASSOCIATED WITH THE IMPLEMENTATION OF THIS SECTION.

(K) AN INDIVIDUAL LICENSED IN THE STATE AS A PHYSICIAN WHO IS BOARD CERTIFIED IN PSYCHIATRY, OR A PSYCHOLOGIST WHO, IN GOOD FAITH AND WITH REASONABLE GROUNDS, ACTS IN COMPLIANCE WITH THIS SECTION, MAY NOT BE HELD CIVILLY OR CRIMINALLY LIABLE FOR ACTIONS AUTHORIZED BY THIS SECTION.”

On page 43, strike beginning with the comma in line 17 down through “ANOTHER” in line 20; and in line 25, strike “BEFORE OCTOBER 1, 2013, WAS” and substitute “HAS BEEN”.

On pages 43 and 44, strike in their entirety the lines beginning with line 28 on page 43 through line 2 on page 44, inclusive.

On page 44, in lines 3, 5, 8, and 15, strike “(11)”, “(12)”, “(13)”, and “(14)”, respectively, and substitute “(10)”, “(11)”, “(12)”, and “(13)”, respectively.

AMENDMENT NO. 10

On page 48, after line 13, insert:

“Article – State Government

10–616.

(a) Unless otherwise provided by law, a custodian shall deny inspection of a public record, as provided in this section.

(V) (1) EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A CUSTODIAN SHALL DENY INSPECTION OF ALL RECORDS OF A PERSON AUTHORIZED TO:

(I) SELL, PURCHASE, RENT, OR TRANSFER A REGULATED FIREARM UNDER TITLE 5, SUBTITLE 1 OF THE PUBLIC SAFETY ARTICLE; OR

(II) CARRY, WEAR, OR TRANSPORT A HANDGUN UNDER TITLE 5, SUBTITLE 3 OF THE PUBLIC SAFETY ARTICLE.

(2) A CUSTODIAN SHALL ALLOW INSPECTION OF FIREARM OR HANDGUN RECORDS BY:

(I) THE INDIVIDUAL NAMED IN THE RECORD; OR

(II) THE ATTORNEY OF RECORD OF THE INDIVIDUAL NAMED IN THE RECORD.

(3) THE PROVISIONS OF THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT THE DEPARTMENT OF STATE POLICE OR THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES FROM ACCESSING FIREARM OR HANDGUN RECORDS IN THE PERFORMANCE OF THAT DEPARTMENT'S OFFICIAL DUTY.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before October 1, 2013:

(a) The Department of State Police shall investigate illegal transfers, possession, and transport of firearms within the State, including the number and types of firearms seized by the Department of State Police and the best information available as to the source of the seized firearms.

(b) On or before December 31, 2015, the Department of State Police shall report its findings to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.”;

in line 14, strike “2.” and substitute “3.”; and in line 15, after the period insert “Section 2 of this Act shall remain effective for a period of 3 years and, at the end of September 30, 2016, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.”.

AMENDMENT NO. 11

On page 9, in line 5, after the comma insert “**MEMBERS OF THE MARYLAND DEFENSE FORCE,**”.

On page 20, in line 23, strike “**OR**”; in line 25, strike “**OR**” and substitute a comma; and in the same line, after “**GUARD**” insert “**, OR THE MARYLAND DEFENSE FORCE; OR**”

(4) A PERSON PURCHASING, RENTING, OR RECEIVING AN ANTIQUE, CURIO, OR RELIC FIREARM, AS DEFINED IN FEDERAL LAW OR IN DETERMINATIONS PUBLISHED BY THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES”.

On page 21, in line 10, strike “OR” and substitute a comma; in the same line, after “GUARD” insert “, OR THE MARYLAND DEFENSE FORCE”; in line 17, after “(1)” insert “(I)”; and in the same line, after “OLD;” insert “OR

(II) IS AT LEAST 18 YEARS OLD IF THE PERSON IS A MEMBER OF THE UNITED STATES ARMED FORCES, THE NATIONAL GUARD, OR THE MARYLAND DEFENSE FORCE;”.

On page 26, in line 14, after “(i)” insert “1.”; in the same line, after “old;” insert “OR

2. IS AT LEAST 18 YEARS OLD IF THE FIREARM APPLICANT IS A MEMBER OF THE UNITED STATES ARMED FORCES, THE NATIONAL GUARD, OR THE MARYLAND DEFENSE FORCE;”;

and in line 24, strike “THEMSELVES” and substitute “THE FIREARM APPLICANT”.

On page 32, in line 9, strike “while performing official duties”.

AMENDMENT NO. 12

On page 19, after line 29, insert:

“(b) If the Secretary disapproves an application for a dealer’s license, the Secretary shall notify the applicant in writing of:

(1) the disapproval OF THE APPLICATION; AND

(2) THE REASON THE APPLICATION WAS DENIED.”.

On page 24, in line 22, after “CONTAINS” insert “:

(I) THE REASON THE APPLICATION WAS DENIED; AND

(II)”.

AMENDMENT NO. 13

On page 21, in line 8, strike "OR"; and in line 11, strike "AND" and substitute "OR

(IV) IS PURCHASING, RENTING, OR RECEIVING AN ANTIQUE, CURIO, OR RELIC FIREARM, AS DEFINED IN FEDERAL LAW OR IN DETERMINATIONS PUBLISHED BY THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES; AND".

AMENDMENT NO. 14

On page 9, in line 24, after "inheritance" insert ", AND POSSESSION OF THE INHERITED ASSAULT WEAPON OR DETACHABLE MAGAZINE,"; and in line 24, after "WEAPON" insert "OR DETACHABLE MAGAZINE AND THE PERSON INHERITING THE ASSAULT WEAPON OR DETACHABLE MAGAZINE IS NOT OTHERWISE DISQUALIFIED FROM POSSESSING A REGULATED FIREARM".

AMENDMENT NO. 15

On page 27, in line 21, after "ARTICLE" insert ", EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY".

On page 30, in line 22, after "ARTICLE" insert ", EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY".

On page 33, in line 25, after "GUARDIAN" insert ", EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY".

On page 44, in line 7, after "ARTICLE" insert ", EXCEPT FOR CASES IN WHICH THE APPOINTMENT OF A GUARDIAN IS SOLELY A RESULT OF A PHYSICAL DISABILITY".

AMENDMENT NO. 16

On page 40, in line 16, strike "THE" and substitute "EACH"; in line 22, strike "EACH" and substitute "AN"; in line 23, after "NONREFUNDABLE" insert "TOTAL"; and in line 24, after "\$15" insert ", REGARDLESS OF THE NUMBER OF FIREARMS REGISTERED".

AMENDMENT NO. 17

On page 14, after line 16, insert:

“(B-1) (1) “CONVICTED OF A DISQUALIFYING CRIME” INCLUDES:

(I) A CASE IN WHICH A PERSON RECEIVED PROBATION BEFORE JUDGMENT FOR A CRIME OF VIOLENCE; AND

(II) A CASE IN WHICH A PERSON RECEIVED PROBATION BEFORE JUDGMENT IN A DOMESTICALLY RELATED CRIME AS DEFINED IN § 6-233 OF THE CRIMINAL PROCEDURE ARTICLE.

(2) “CONVICTED OF A DISQUALIFYING CRIME” DOES NOT INCLUDE A CASE IN WHICH A PERSON RECEIVED A PROBATION BEFORE JUDGMENT FOR ASSAULT IN THE SECOND DEGREE.”.

Amendment No. 17 was read and concurred in by roll call vote as follows:

Affirmative – 28 Negative – 18 (See Roll Call No. 1022)

Amendment No. 8 was read and concurred in by roll call vote as follows:

Affirmative – 27 Negative – 19 (See Roll Call No. 1023)

Amendment No. 2 was read and concurred in by roll call vote as follows:

Affirmative – 27 Negative – 19 (See Roll Call No. 1024)

Amendments No. 1, 3 through 7, and 9 through 16 were read and concurred.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 28 Negative – 19 (See Roll Call No. 1025)

CONCURRENCE CALENDAR #8**AMENDED IN THE HOUSE**

Senate Bill 897 – Senator Klausmeier

AN ACT concerning

Consumer Protection – Security Freezes – Children in Foster Care Settings

Senator Middleton moved that the Senate not concur in the House amendments.

SB0897/593190/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 897
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 20, strike “authorizing” and substitute “prohibiting”; and in line 21, strike “to charge” and substitute “from charging”.

On page 2, strike beginning with “requiring” in line 13 down through “date;” in line 16.

AMENDMENT NO. 2

On page 6, in line 30, after “MAY” insert “NOT”; in line 31, strike “REASONABLE”; in the same line, strike “, NOT EXCEEDING \$5,”; and strike beginning with “EACH” in line 31 down through “CONSUMER” in line 33 and substitute “ANY SERVICE PERFORMED”.

On page 7, strike beginning with the comma in line 32 down through “FREEZE” in line 34.

AMENDMENT NO. 3

On page 8, strike in their entirety lines 15 through 26, inclusive; and in line 27, strike “4.” and substitute “3.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0897**

SPONSOR: Sen Klausmeier

SUBJECT: Consumer Protection – Security Freezes – Children in Foster Care Settings

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Klausmeier, Chairman

Senator Kittleman

Senator Garagiola.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #10

AMENDED IN THE HOUSE

Senate Bill 751 – Senator Robey

AN ACT concerning

State Police Retirement System – Reemployment of Retirees

Senator Kasemeyer moved that the Senate not concur in the House amendments.

SB0751/434064/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 751

(Third Reading File Bill)

On page 1, in line 8, after “System;” insert “providing that a retiree of the State Police Retirement System who is reemployed by a participating governmental unit may receive certain service credit during the period of reemployment;”.

On page 3, in line 26, after “(f)” insert “**(1) THIS SUBSECTION DOES NOT APPLY TO AN INDIVIDUAL WHO:**

(I) IS RECEIVING A SERVICE RETIREMENT ALLOWANCE OR A VESTED ALLOWANCE; AND

(II) IS REEMPLOYED BY A PARTICIPATING GOVERNMENTAL UNIT.

(2)”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB 0751
SPONSOR: Sen Robey
SUBJECT: State Police Retirement System – Reemployment of Retirees

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #5

AMENDED IN THE HOUSE

Senate Bill 16 – Senator Reilly

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Refillable Container License

Senator Conway moved that the Senate concur in the House amendment.

SB0016/953898/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 16

(Third Reading File Bill)

On page 2, in line 15, after the first “LICENSE” insert “, A CLASS B LICENSE,”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1026)

AMENDED IN THE HOUSE

Senate Bill 244 – Senator Astle

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container License

Senator Conway moved that the Senate concur in the House amendment.

SB0244/473493/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 244

(Third Reading File Bill)

On page 2, in line 6, after the second “LICENSE” insert “, A CLASS B LICENSE,”; and in line 11, after “OF” insert “NOT”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1027)

CONCURRENCE CALENDAR #6

AMENDED IN THE HOUSE

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~~ Zirkin, Astle, Glassman, Pipkin, and Ramirez

AN ACT concerning

Mammograms – Dense Breast Tissue – Notification

Senator Middleton moved that the Senate concur in the House amendments.

SB0334/796082/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 334

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “prohibiting” in line 7 down through “notice.” in line 8.

AMENDMENT NO. 2

On page 3, strike beginning with “BEYOND” in line 15 down through “SUBSECTION” in line 16.

On page 4, strike in their entirety lines 9 through 11, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1028)

AMENDED IN THE HOUSE

Senate Bill 380 – Senators Muse, Colburn, Conway, Dyson, Ferguson, Jacobs, Klausmeier, Madaleno, Manno, Mathias, Middleton, Peters, Pugh, Raskin, Simonaire, Stone, Young, ~~and Zirkin~~ Zirkin, Astle, Garagiola, Glassman, Kelley, Kittleman, and Ramirez

AN ACT concerning

**Department of Health and Mental Hygiene – Workgroup on Cancer Clusters
and Environmental Causes of Cancer**

Senator Middleton moved that the Senate concur in the House amendment.

SB0380/206686/1

BY: Health and Government Operations Committee

AMENDMENT TO SENATE BILL 380

(Third Reading File Bill)

On page 2, in line 14, strike “and”; in line 16, after “environmentalists” insert “; and”

(iv) at least one representative of a manufacturing business in the State”;

and in line 18, after “(1)(iii)” insert “and (iv)”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1029)

CONCURRENCE CALENDAR #9

AMENDED IN THE HOUSE

Senate Bill 154 – Senator Mathias

AN ACT concerning

**Somerset County – County Treasurer – Abolishment and Transfer of
Functions to the County Supervisor of Tax Collection**

Senator Kasemeyer moved that the Senate concur in the House amendment.

SB0154/860911/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 154

(Third Reading File Bill)

On page 1, strike beginning with “apply” in line 21 down through “compensation” in line 22 and substitute “affect the term of office”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1030)

AMENDED IN THE HOUSE

**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 Kasemeyer moved that the Senate concur in the House amendment.

SB0476/174865/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 476

(Third Reading File Bill)

On page 2, in line 19, strike “paragraph” and substitute “**PARAGRAPHS (2) AND**”; in line 21, after “(2)” insert “**(I)**”; and in the same line, strike “If” and substitute “**IF A MEMBER HAS AT LEAST 11 DAYS BUT LESS THAN 22 DAYS OF UNUSED SICK LEAVE, THE MEMBER IS ENTITLED TO RECEIVE 1 MONTH OF CREDITABLE SERVICE.**”

(II) IF A MEMBER HAS AT LEAST 22 DAYS OF UNUSED SICK LEAVE, AND IF”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1031)

AMENDED IN THE HOUSE

Senate Bill 730 – Senators King, Colburn, Garagiola, and Manno

AN ACT concerning

Recordation and Transfer Taxes – Low Income Housing Projects – Controlling Interest

Senator Kasemeyer moved that the Senate concur in the House amendment.

SB0730/655969/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 730

(Third Reading File Bill)

On page 2, in line 23, strike “**SUBSECTION (A-1)**” and substitute “**SUBSECTIONS (A-1) AND (B)**”; in the same line, after “**SECTION**” insert a comma; and in line 24, strike beginning with “**AND**” through “**section,**”.

On page 3, in line 10, strike “**EXCEPT as provided in**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1032)

AMENDED IN THE HOUSE

Senate Bill 813 – ~~Senator Shank~~ Senators Shank and Edwards

AN ACT concerning

State Retirement and Pension System – Service Credit for Unused Sick Leave

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0813/314462/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 813

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “Services” insert “and the State Retirement Agency”.

AMENDMENT NO. 2

On page 4, strike beginning with “SECTION” in line 28 down through “on” in line 30 and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Legislative Services and the State Retirement Agency shall:

(a) (1) study the requirement for a member of the Correctional Officers’ Retirement System to join the Employees’ Pension System as a condition of employment when the member is promoted to certain positions, including:

(i) when the requirement was established;

(ii) the rationale for the requirement;

(iii) the number of individuals who have been affected by the requirement; and

(iv) the difference in benefits between the Correctional Officers' Retirement System and the Employees' Pension System, including whether the benefits have changed since the Correctional Officers' Retirement System was established; and

(2) determine”;

and in line 33, after “employment” insert “; and”

(b) on or before December 1, 2013, report any findings and recommendations to the Joint Committee on Pensions”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1033)

CONCURRENCE CALENDAR #11

AMENDED IN THE HOUSE

Senate Bill 516 – Senator Jones–Rodwell (By Request – Baltimore City Administration) and Senators Conway, Ferguson, McFadden, and Pugh

AN ACT concerning

Economic Development – Baltimore Convention Facility – Operating Deficits

Senator Kasemeyer moved that the Senate concur in the House amendment.

SB0516/564962/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 516

(Third Reading File Bill)

On page 2, in lines 14 and 23, in each instance, strike “2024” and substitute “2019”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1034)

AMENDED IN THE HOUSE

Senate Bill 535 – Senators Shank, Edwards, and Young

AN ACT concerning

Washington County – Amusement Devices – Tip Jars

Senator Kasemeyer moved that the Senate concur in the House amendment.

SB0535/975966/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 535

(Third Reading File Bill)

On page 7, in line 19, strike “July” and substitute “October”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1035)

CONCURRENCE CALENDAR #12

AMENDED IN THE HOUSE

Senate Bill 25 – Senators Forehand and Klausmeier

AN ACT concerning

Vehicle Laws – Title and Registration – Transfer to Surviving Spouse

Senator Frosh moved that the Senate concur in the House amendment.

SB0025/510510/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 25

(Third Reading File Bill)

On page 5, in line 8, strike “October” and substitute “July”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1036)

MESSAGE TO THE SENATE

BILL: SB 0160

SPONSOR: Sen Frosh, et al

SUBJECT: Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Raskin, Chair

Senator Zirkin

Senator Shank

The House appoints:

Delegate Dumais, Chairman

Delegate Clippinger, and

Delegate Cluster.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB 0419

SPONSOR: Sen Frosh, et al

SUBJECT: Civil Actions – Examination in Aid of Enforcement – Procedure After Arrest for Failure to Appear

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Gladden, Chair

Senator Stone

Senator Frosh

The House appoints:

Delegate Anderson, Chairman

Delegate Valentino-Smith, and

Delegate McComas.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: HB 1372

SPONSOR: Dels Jones and Griffith

SUBJECT: Prior Authorizations of State Debt to Fund Capital Projects – Alterations

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Jones, Chairman

Delegate Conway, and

Delegate Griffith.

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 1372

SPONSOR: Dels Jones and Griffith

SUBJECT: Prior Authorizations of State Debt to Fund Capital Projects – Alterations

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Jones, Chair

Delegate Conway

Delegate Griffith

The Senate appoints:

Senator DeGrange, Chairman

Senator Kasemeyer

Senator Peters.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0101

SPONSOR: The Spkr (Admin)

SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2013

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Jones, Chair
Delegate Conway
Delegate Griffith
Delegate Bohanan
Delegate Eckardt

In addition, the House has appointed in advisory capacity: Delegates Guzzone, Haynes, James and Zucker.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 0101

SPONSOR: The Spkr (Admin)

SUBJECT: Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2013

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Jones, Chair

Delegate Conway

Delegate Griffith

Delegate Bohanan

Delegate Eckardt

In addition, the House has appointed in advisory capacity: Delegates Guzzone, Haynes, James and Zucker.

The Senate appoints:

Senator DeGrange, Chair

Senator Kasemeyer

Senator Peters

Senator King

Senator Edwards

In addition, the Senate has appointed in advisory capacity: Senators McFadden and Colburn.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 560 – The Speaker (By Request – Administration) and Delegates Bohanan, Busch, Cardin, Clagett, Conway, Gaines, Griffith, Guzzone, Healey, Hixson, Howard, James, Lafferty, McIntosh, Mitchell, and Zucker

AN ACT concerning

Public-Private Partnerships

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

HB0560/333829/1

BY: Senator Stone

AMENDMENT TO HOUSE BILL 560
(Third Reading File Bill)

On page 19, after line 29, insert:

“(v) TITLE 15, SUBTITLE 2 OF THIS ARTICLE (“DISPUTE RESOLUTION”);”;

and in line 30, strike **“(v)”** and substitute **“(vi)”**.

On page 20, in lines 1 and 3, strike **“(vi)”** and **“(vii)”**, respectively, and substitute **“(vii)”** and **“(viii)”**, respectively.

The preceding amendment was read and rejected by a roll call vote as follows:

Affirmative – 12 Negative – 35 (See Roll Call No. 1037)

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1038)

The Bill was then sent to the House of Delegates.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 341 – Senator Madaleno

AN ACT concerning

Higher Education – Academic Program Action – Repeal of Application Fees

SB0341/524130/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO SENATE BILL 341

(First Reading File Bill)

On page 1, in the sponsor line, strike “Senator Madaleno” and substitute “Senators Madaleno and Simonaire”; in line 2, after “Fees” insert “and Report”; in line 4, after “fees;” insert “requiring the Commission to report, to certain committees of the General Assembly on certain dates, on certain requests made for approval of certain program action in certain periods of time;”; and in line 6, after “education” insert “and reports on requests for approval of academic program action”.

On page 2, after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That, on December 31, 2013, and on December 31, 2014, the Maryland Higher Education Commission shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means, in accordance with § 2–1246 of the State Government Article, on the number of requests made for approval of academic program action taken under Title 11, Subtitle 2 of the Education Article in the immediately preceding 12–month period.”;

and in line 19, strike “2.” and substitute “3.”.

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 826 – Senators Kittleman and Robey

AN ACT concerning

Open Meetings Act – Violations and Penalties

SB0826/814438/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 826

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “occurred;” insert “providing that compliance with certain provisions of this Act is not an admission to a certain violation and may not be used as evidence in a certain proceeding;”; and in line 7, after “violations;” insert “requiring a court to consider certain factors when determining the amount of a certain fine;”.

AMENDMENT NO. 2

On page 2, after line 18, insert:

“(III) COMPLIANCE BY A PUBLIC BODY OR A MEMBER OF A PUBLIC BODY WITH SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH:

1. IS NOT AN ADMISSION TO A VIOLATION OF A PROVISION OF THIS SUBTITLE BY THE PUBLIC BODY; AND

2. MAY NOT BE USED AS EVIDENCE IN A PROCEEDING CONDUCTED IN ACCORDANCE WITH § 10-510 OF THIS SUBTITLE.”.

On page 3, in line 11, before the opening bracket insert “**(A)**”; in line 14, strike “**\$1,000**” and substitute “:

(1) \$250”;

in the same line, after “**VIOLATION**” insert a semicolon; in line 15, strike “**\$10,000**” and substitute:

“(2) \$1,000”;

in line 16, strike “OF” and substitute “AFTER”; and after line 16, insert:

“(B) WHEN DETERMINING THE AMOUNT OF A FINE UNDER SUBSECTION (A) OF THIS SECTION, THE COURT SHALL CONSIDER THE FINANCIAL RESOURCES AVAILABLE TO THE PUBLIC BODY AND THE ABILITY OF THE PUBLIC BODY TO PAY THE FINE.”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #29

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 566 – Senator Brinkley

AN ACT concerning

Motor Vehicle Registration – Exception for All-Terrain and Utility-Terrain Vehicles

SB0566/108474/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 566

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Motor” in line 2 down through “Vehicles” in line 3 and substitute “Vehicle Laws – Unregistered Emergency Vehicles – Operating on Highways”; strike beginning with “authorizing” in line 4 down through the second

“limit” in line 10 and substitute “providing that the Maryland Vehicle Law does not preclude a local authority from authorizing an emergency vehicle not subject to registration to operate on a highway under its jurisdiction while performing an emergency service”; in line 11, strike “unregistered all-terrain and utility-terrain” and substitute “emergency”; in the same line, after “vehicles” insert “not subject to registration”; and strike in their entirety lines 13 through 22, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Transportation
Section 25–102(a)(16) and (17)
Annotated Code of Maryland
(2012 Replacement Volume)

BY adding to

Article – Transportation
Section 25–102(a)(18)
Annotated Code of Maryland
(2012 Replacement Volume)”.

AMENDMENT NO. 2

On pages 1 through 3, strike in their entirety the lines beginning with line 26 on page 1 through line 3 on page 3, inclusive, and substitute:

“25–102.

(a) The provisions of the Maryland Vehicle Law do not prevent a local authority, in the reasonable exercise of its police power, from exercising the following powers as to highways under its jurisdiction:

(16) In Allegany County, designating crossings on county highways where a person operating a golf cart may cross the highway for continued access to any portion of a golf course; [and]

(17) Restricting use of a low speed vehicle on a highway; AND

(18) AUTHORIZING AN EMERGENCY VEHICLE NOT SUBJECT TO REGISTRATION TO OPERATE ON A HIGHWAY WHILE PERFORMING AN EMERGENCY SERVICE AS DEFINED IN § 19–103 OF THIS ARTICLE.”.

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 with amendments:

Senate Bill 791 – Senator Kelley

AN ACT concerning

Juvenile Law – Dispositions – Placement Guidance

SB0791/718574/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 791

(First Reading File Bill)

On page 2, in line 12, after “(II)” insert “OR (III)”.

On page 3, strike beginning with the comma in line 11 down through “PUBLIC” in line 14 and substitute “IN ACCORDANCE WITH SUBPARAGRAPH (III) OF THIS PARAGRAPH.”

(III) A CHILD WHOSE MOST SERIOUS OFFENSE IS AN OFFENSE LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY BE COMMITTED TO THE DEPARTMENT OF JUVENILE SERVICES FOR OUT-OF-HOME PLACEMENT IF THE COURT MAKES A WRITTEN FINDING, INCLUDING THE SPECIFIC FACTS SUPPORTING THE FINDING, THAT AN OUT-OF-HOME PLACEMENT IS NECESSARY FOR THE WELFARE OF THE CHILD OR IN THE INTEREST OF PUBLIC SAFETY”;

and in line 15, strike “(III)” and substitute “(IV)”.

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 872 – Senator Jacobs

AN ACT concerning

Criminal Procedure – Venue for Prosecution of Murder and Manslaughter

SB0872/878676/1

BY: Judicial Proceedings Committee

AMENDMENT TO SENATE BILL 872

(First Reading File Bill)

On page 3, in line 2, strike “§ 2–103,”.

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 988 – Senator Muse

AN ACT concerning

Crimes – Threat of Mass Violence

SB0988/808473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 988

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 8 and 12, in each instance, strike “felony” and substitute “misdemeanor”.

AMENDMENT NO. 2

On page 2, in line 19, after “**COMMITTED;**” insert “**OR**”; in line 21, strike the semicolon and substitute a period; strike in their entirety lines 22 through 25, inclusive; and in line 27, strike “**FELONY**” and substitute “**MISDEMEANOR**”.

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:

House Bill 1107 – Prince George’s County Delegation

AN ACT concerning

Task Force on the Membership and to Evaluate Best Practices for School Board Operation of the in Prince George’s County Board of Education
PG 411-13

STATUS OF BILL: BILL HAS PASSED SECOND READING.

Senator Pinsky moved, duly seconded, to put **House Bill 1107** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1107** on Third Reading and Final Passage.

House Bill 1107 – Prince George’s County Delegation

AN ACT concerning

Task Force on the Membership and to Evaluate Best Practices for School Board Operation of the in Prince George’s County Board of Education
PG 411-13

STATUS OF BILL: BILL ON 3RD READING.

FLOOR AMENDMENT

HB1107/583429/1

BY: Senator Muse

AMENDMENTS TO HOUSE BILL 1107, AS AMENDEDAMENDMENT NO. 1

On page 9 of the Education, Health, and Environmental Affairs Committee Amendments (HB1107/444332/1), in line 5 of Amendment No. 2, strike "**THREE**" and substitute "**TWO**"; in line 8, after "**EDUCATION;**" insert "**AND**"; strike in their entirety lines 11 through 13; in line 14, strike "**THE**" and substitute "**TWO MEMBERS SHALL BE APPOINTED BY THE**"; in the same line, after "**COUNCIL**" insert "**AS FOLLOWS:**"

1. ONE MEMBER SHALL POSSESS A HIGH LEVEL OF KNOWLEDGE AND EXPERTISE CONCERNING THE SUCCESSFUL ADMINISTRATION OF A LARGE BUSINESS, NONPROFIT, OR GOVERNMENTAL ENTITY; AND;

and in lines 14 and 15, strike "**SHALL APPOINT ONE**" and substitute:

2. ONE.

AMENDMENT NO. 2

On page 12 of the Education, Health, and Environmental Affairs Committee Amendments, in line 6 of Amendment No. 2, strike "**2**" and substitute "**(II)1**"; in line 8, strike "**MEMBER**" and substitute "**MEMBERS**"; and in line 9, strike "**(F)(1)(I)3 AND (II)**" and substitute "**(F)(1)(I)2 AND (II)2**".

The preceding 2 amendments were read and rejected by a roll call vote as follows:

Affirmative – 9 Negative – 38 (See Roll Call No. 1039)

FLOOR AMENDMENT

HB1107/353724/1

BY: Senator Muse

AMENDMENTS TO HOUSE BILL 1107, AS AMENDED

AMENDMENT NO. 1

On page 2 of the Education, Health, and Environmental Affairs Committee Amendments (HB1107/444332/1), in line 28 of Amendment No. 1, after “session;” insert “requiring the Workgroup to Study the Governance of Public Education in Prince George’s County to conduct a certain study; providing for the composition of the Workgroup; requiring the Workgroup to submit a certain report to certain committees of the General Assembly, the Prince George’s County Senators, and the Prince George’s County Delegation on or before a certain date;”; and in line 29, after “measure;” insert “providing for the delayed effective date of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 32 of the Education, Health, and Environmental Affairs Committee Amendments, in line 6 of Amendment No. 2, strike “June 1, 2013” and substitute “July 1, 2014”; in line 11, strike “2013” and substitute “2014”; in line 24, strike “2013” and substitute “2014”; and in the same line, strike “2017” and substitute “2018”.

On page 33 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, in lines 9, 16, and 25, strike “2013”, “2017”, and “2018”, respectively, and substitute “2014”, “2018”, and “2019”, respectively.

AMENDMENT NO. 3

On page 34 of the Education, Health, and Environmental Affairs Committee Amendments, in Amendment No. 2, after line 2, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup to Study the Governance of Public Education in Prince George’s County.

(b) The Workgroup consists of the following members:

(1) one member of the Senate of Maryland who represents Prince George’s County, appointed by the Chair of the Prince George’s County Senate Delegation;

(2) one member of the House of Delegates who represents Prince George's County, appointed by the Chair of the Prince George's County House Delegation;

(3) each member of the Prince George's County Board of Education;

(4) one member who represents the Maryland Association of Boards of Education, appointed by the Chair of the Association;

(5) one member of the Parent Teacher Association Council of Prince George's County, appointed by the Chair of the Council;

(6) one member of the NAACP of Prince George's County, appointed by the Chair of the NAACP;

(7) two members of the Prince George's County AFSCME 2250, appointed by the Executive Director of the unit;

(8) two members of the SEIU Local 400, appointed by the Executive Director of the unit;

(9) two members of the Prince George's County Educators Association, appointed by the Chair of the Association;

(10) one member of the Prince George's County Municipal Association, appointed by the Association;

(11) three teachers who are employed by Prince George's County Public Schools, appointed by the State Superintendent of Schools; and

(12) two principals who are employed by Prince George's County Public Schools, appointed by the Association of Supervisory and Administrative School Personnel.

(c) The Workgroup shall conduct a study to review and make recommendations on:

(1) the composition, qualifications, and compensation of members of the Prince George's County Board of Education;

- (2) methods for selecting the members of the County Board;
- (3) an appropriate phase-in period for any recommended changes to the existing County Board composition;
- (4) methods used by local school systems for hiring a superintendent;
- (5) the impact an all appointed, all elected, or combination appointed and elected board of education has on student achievement; and
- (6) differences in collective bargaining for county employees versus local school system employees.

(b) On or before January 1, 2014, the Workgroup shall submit a report on its findings and recommendations of the study conducted under subsection (a) of this section, in accordance with § 2-1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the House Committee on Ways and Means, the Prince George’s County Senators, and the Prince George’s County Delegation.

SECTION 6. AND BE IT FURTHER ENACTED, That Sections 1, 2, and 4 of this Act shall take effect April 8, 2014.”;

in line 3, strike “5.” and substitute “7.”; and in line 6, after “and” insert “, except as provided in Section 6 of this Act.”.

The preceding 3 amendments were read and rejected by a roll call vote as follows:

Affirmative – 9 Negative – 36 (See Roll Call No. 1040)

Read the third time and passed by yeas and nays as follows:

Affirmative – 39 Negative – 7 (See Roll Call No. 1041)

The Bill was then sent to the House of Delegates.

House Bill 1006 – Delegates Anderson, Waldstreicher, Braveboy, Carter, Conaway, Dumais, Haynes, Ivey, Swain, Valderrama, and M. Washington

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENT (1) AND THE FAVORABLE REPORT.

HB1006/218474/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1006

(Third Reading File Bill)

On page 3, strike beginning with “HARASSMENT” in line 22 down through “ARTICLE” in line 23 and substitute “A PROSTITUTION OFFENSE UNDER § 11-306 OF THE CRIMINAL LAW ARTICLE”.

On page 4, strike beginning with “FAILING” in line 8 down through “ARTICLE” in line 9 and substitute “A TICKET SCALPING OFFENSE UNDER ANY STATE OR LOCAL LAW”.

The preceding amendment was read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

HB1006/623926/1

BY: Senator Brochin

AMENDMENT TO HOUSE BILL 1006

(Third Reading File Bill)

On page 4, strike in their entirety lines 1 and 2; and in lines 3, 5, 8, and 10, strike “(14)”, “(15)”, “(16)”, and “(17)”, respectively, and substitute “(13)”, “(14)”, “(15)”, and “(16)”, respectively.

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 47 Members present.

(See Roll Call No. 1042)

ADJOURNMENT

At 7:34 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day March 31, 2013, Calendar Day, Friday, April 5, 2013.

Annapolis, Maryland
Legislative Day: March 31, 2013
Calendar Day: Friday, April 5, 2013
10:00 A.M. Session

The Senate met at 10:16 A.M.

Prayer by Reverend Sue Shorb–Sterling, Salem United Methodist Church, guest of Senator Montgomery.

(See Exhibit A of Appendix III)

The Journal of March 30, 2013 was read and approved.

QUORUM CALL

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

(See Roll Call No. 1043)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 677 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Edmondson High School Boys Basketball Team
in recognition of
your winning the 2A State Championship.
We applaud your outstanding season and wish you
many more. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 5th day of April 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1044)

Senate Resolution No. 676 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Digital Harbor High School
Boys Indoor Track & Field Team
in recognition of
your winning the 3A State Championship.
We applaud your outstanding season and wish you
many more. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 5th day of April 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1045)

CONCURRENCE CALENDAR #13

AMENDED IN THE HOUSE

**Senate Bill 27 – ~~Senator Astle~~ Senators Astle, Miller, Conway, Pinsky,
Rosapepe, Benson, Young, and Ferguson**

AN ACT concerning

Chesapeake Conservation Corps Program – Extension

Senator Conway moved that the Senate concur in the House amendments.

SB0027/730513/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 27

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Program –” insert “Funding”; in line 6, after “year;” insert “extending the termination date of a certain surcharge on electrical energy distributed to retail electric customers in the State;”; in line 10, strike “3–302(a)(1)” and substitute “3–302(a) and (b)(1)”; in line 15, strike “3–302(d)” and substitute “3–302(b)(2) and (d)”; and after line 17, insert:

“BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–203
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 3, insert:

“(2) For the purpose of this subtitle, there is established as an added cost of electricity distributed to retail electric customers within the State, an environmental surcharge per kilowatt hour of electric energy distributed in the State to be paid by any electric company as defined in § 1–101 of the Public Utilities Article. The Public Service Commission shall impose the surcharge per kilowatt hour of electric energy distributed to retail electric customers within the State and shall authorize the electric companies to add the full amount of the surcharge to retail electric customers’ bills. To the extent that the surcharge is not collected from retail electric customers, the surcharge shall be deemed a cost of distribution and shall be allowed and computed as such, together with other allowable expenses, for rate-making purposes. Revenues from the surcharge shall be collected by the Comptroller and placed in the Fund.

(b) (1) The Secretary, in consultation with the Director of the Maryland Energy Administration, annually shall coordinate the preparation of a budget required to carry out the provisions of this subtitle. Upon approval of the budget by the General Assembly, the Public Service Commission shall establish the amount of the surcharge per kilowatt hour for the fiscal year beginning July 1, 1972, and for each subsequent fiscal year.

(2) Notwithstanding any other provisions of this subtitle, the amount of the surcharge for each account for each retail electric customer may not exceed the lesser of 0.15 mill per kilowatt hour or \$1,000 per month and the surcharge may not continue beyond fiscal year [2015] 2020.”

AMENDMENT NO. 3

On page 2, after line 25, insert:

“Article – Public Utilities

7-203.

(a) (1) The Commission shall:

(i) impose an environmental surcharge per kilowatt hour of electricity distributed to retail electric customers within the State; and

(ii) authorize each electric company to add the full amount of the surcharge to its customers' bills.

(2) To the extent that an electric company fails to collect the surcharge from its customers, the amount uncollected shall be deemed a cost of power distribution and allowed and computed as such together with other allowable expenses for purposes of rate making.

(b) (1) The Comptroller shall collect the revenue from the surcharge imposed under subsection (a) of this section and place the revenue into a special fund, the Environmental Trust Fund.

(2) The Comptroller shall maintain the method of collection of the surcharge from each electric company, and the money collected shall accrue to the Fund.

(c) (1) Each fiscal year, the Secretary of Natural Resources shall coordinate the preparation of the annual budget required to carry out the provisions of the Power Plant Research Program under Title 3, Subtitle 3 of the Natural Resources Article.

(2) Each fiscal year, on approval of the annual budget by the General Assembly for the Power Plant Research Program, the Commission shall establish the amount of the environmental surcharge per kilowatt hour of electric energy distributed in the State that is to be imposed on each electric company in accordance with subsection (a) of this section.

(d) (1) Notwithstanding any other provision of this subtitle, the amount of the surcharge for each account of each retail electric customer may not exceed the lesser of 0.15 mill per kilowatt hour or \$1,000 per month.

(2) The Department of Natural Resources shall credit against the amount the Commission requires each electric company to pay into the Environmental Trust Fund 0.75% of the total surcharge amount attributed to the electric company on the basis of the amount of the electricity distributed in the State.

(e) To the extent that the Commission requires an electric company to report the total estimated kilowatt hours of electricity distributed in the State in order to calculate the surcharge under subsection (a)(1) of this section, a small rural electric cooperative described in § 7-502(a) of this title may satisfy the requirement by submitting to the Commission an estimate made in accordance with a formula approved by the Commission from information that the small rural electric cooperative submits to the rural utilities service that includes the required information.

(f) The surcharge imposed under this subtitle shall terminate on June 30, [2015] 2020.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1046)

AMENDED IN THE HOUSE

Senate Bill 171 – Senator Forehand

AN ACT concerning

Election Law – Special Elections – Voting by Mail

Senator Conway moved that the Senate concur in the House amendment.

SB0171/795860/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 171

(Third Reading File Bill)

On page 2, in line 9, strike “9-506” and substitute “9-505”; and after line 13, insert:

“BY repealing and reenacting, without amendments,

Article – Election Law

Section 9–506

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

On page 10, in line 18, strike “9–501(c)” and substitute “**9–501(D)(2)**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 38 Negative – 9 (See Roll Call No. 1047)

INTRODUCTION OF RESOLUTIONS

Senate Resolution No. 675 – The President and All Members:

Be it hereby known to all that
The Senate of Maryland
offers its sincerest congratulations to
Dunbar High School Boys Basketball Team
in recognition of
your winning the 1A State Championship.
We applaud your outstanding season and wish you
many more. Congratulations!
The entire membership extends best wishes on
this memorable occasion and directs this resolution
be presented on this 5th day of April 2013.

Read and adopted by a roll call vote as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1048)

CONCURRENCE CALENDAR #13

AMENDED IN THE HOUSE

Senate Bill 542 – Senators Young, Jacobs, Raskin, and Shank

AN ACT concerning

Election Law – Polling Places – Electioneering

Senator Conway moved that the Senate concur in the House amendment.

SB0542/105068/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 542

(Third Reading File Bill)

On page 3, in lines 1, 4, 17, and 20, in each instance, strike “5” and substitute “7”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1049)

AMENDED IN THE HOUSE

Senate Bill 599 – Senator Conway

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

Senator Conway moved that the Senate concur in the House amendments.

SB0599/146889/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 599

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 6 down through “circumstance;” in line 8; in line 12, after “requiring” insert “a contractor to accept”; in line 13, strike “bonds provided by” and substitute “bonding from”; in the same line,

strike “to be accepted by a prime contractor”; and in line 14, after “circumstances;” insert “requiring certain agencies to provide certain notice on bid security to certain bidders;”.

AMENDMENT NO. 2

On page 2, strike beginning with the colon in line 6 down through “(1)” in line 7 and substitute a comma; in line 8, strike “A” and substitute “THE”; strike beginning with the semicolon in line 10 down through “BOND” in line 12; in line 23, strike “IT” and substitute “THE BOND”; in the same line, strike “IF” and substitute “AND”; and in the same line, strike “A PRIME CONTRACTOR” and substitute “:

(1) A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THE STATE; OR

(2) THE MARYLAND SMALL BUSINESS DEVELOPMENT FINANCING AUTHORITY ESTABLISHED IN TITLE 5, SUBTITLE 5 OF THE ECONOMIC DEVELOPMENT ARTICLE”.

AMENDMENT NO. 3

On page 3, after line 10, insert:

“(C) IN A SOLICITATION OR PRE-BID CONFERENCE FOR A PROCUREMENT CONTRACT FOR SERVICES, SUPPLIES, OR CONSTRUCTION RELATED SERVICES WITH THE STATE, THE PROCUREMENT AGENCY SHALL PROVIDE NOTICE TO ALL BIDDERS THAT BID SECURITY SHALL BE:

(1) A BOND PROVIDED BY A SURETY COMPANY AUTHORIZED TO DO BUSINESS IN THIS STATE;

(2) A BOND PROVIDED BY AN INDIVIDUAL SURETY THAT MEETS THE REQUIREMENTS OF §§ 13-207 AND 13-216 OF THIS SUBTITLE AND § 17-104 OF THIS ARTICLE;

(3) CASH; OR

(4) ANOTHER FORM OF SECURITY;

(I) AUTHORIZED BY FEDERAL OR STATE REGULATION; OR

(II) THAT IS SATISFACTORY TO THE UNIT AWARDING THE CONTRACT.”;

and in line 12, strike “October” and substitute “July”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1050)

AMENDED IN THE HOUSE

Senate Bill 969 – Senators Glassman, Dyson, and Mathias

AN ACT concerning

Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

Senator Conway moved that the Senate concur in the House amendment.

SB0969/550818/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 969

(Third Reading File Bill)

On page 1, in line 19, strike “fire” and substitute “smoke”.

On page 7, in line 15, after “CONSTRUCTED” insert “ON OR”; in line 19, strike “NEW”; and in the same line, strike “CONSTRUCTED AFTER JULY 1, 2013”.

On page 9, in line 13, strike “CHANGE OF OWNERSHIP OR”.

On page 11, in line 4, strike “SUBTITLE” and substitute “SECTION”; in line 24, after “**(2)**” insert “**(1)**”; and strike in their entirety lines 26 through 28, inclusive.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1051)

MESSAGE TO THE SENATE

BILL: HB 1303

SPONSOR: Del Dumais, et al

SUBJECT: Maryland Legal Services Corporation Funding – Abandoned Property Funds

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Guzzone, Chairman
Delegate Zucker, and
Delegate McConkey.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 1303

SPONSOR: Del Dumais, et al

SUBJECT: Maryland Legal Services Corporation Funding – Abandoned Property Funds

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Guzzone, Chair
Delegate Zucker
Delegate McConkey

The Senate appoints:
Senator Frosh, Chairman
Senator Gladden
Senator Getty.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0286
SPONSOR: Del Niemann, et al
SUBJECT: Real Property – Common Ownership Communities – Foreclosure of Liens

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Niemann, Chairman
Delegate Beidle, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0286
SPONSOR: Del Niemann, et al
SUBJECT: Real Property – Common Ownership Communities – Foreclosure of Liens

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Niemann, Chair
Delegate Beidle
Delegate Norman

The Senate appoints:
Senator Muse, Chairman
Senator Zirkin
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 1340
SPONSOR: Del Stukes, et al
SUBJECT: Courts and Judicial Proceedings – Baltimore City Sheriff and Fees for Filing and Service of Process

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints

Delegate Healey, Chairman
Delegate Glenn, and
Delegate Otto.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 1340
SPONSOR: Del Stukes, et al
SUBJECT: Courts and Judicial Proceedings – Baltimore City Sheriff and Fees for Filing and Service of Process

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Healey, Chair
Delegate Glenn
Delegate Otto

The Senate appoints:
Senator Gladden, Chairman
Senator Muse
Senator Getty.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 63	Chair, EHE Com.	Md Higher Ed Commission – Institutional Renewal Fees and Religious Educational Institutions
SB 86	Ch., Jud. Proceed.	Voluntary Placement for Former Children in Need of Assistance
SB 109	Sen. Kelley	Criminal Law – Cannabimimetic Agents – Prohibition
SB 198	Sen. Frosh	Estates and Trusts – Family Allowance
SB 239	The President	Judgeships – Court of Special Appeals, Circuit Courts, and District Court
SB 258	Sen. Shank	Correctional Services – Inmate Earnings – Compensation for Victims of Crime
SB 332	Sen. Gladden	Estates and Trusts – Special and Supplemental Needs Trusts – Regulations by State Agencies
SB 369	Sen. Edwards	Garrett County – Bonds for Garrett County Memorial Hospital
SB 458	Calvert Co. Senators	Calvert County – Public Facilities Bonds
SB 508	Sen. Shank	Washington County – Public Facilities Bonds
SB 536	Sen. Shank	Department of Juvenile Services – Graduated Responses – Report
SB 588	Carroll Co. Senators	Carroll County – Public Facilities Bonds

SB 752	Sen. Robey	Department of Budget and Management – Foster Youth Summer Internship Pilot Program
SB 841	The President	Higher Education Fair Share Act

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 801 – Delegates Tarrant, Anderson, Branch, Clippinger, Hammen, Haynes, McHale, McIntosh, Mitchell, Oaks, B. Robinson, Stukes, and M. Washington

AN ACT concerning

Vehicle Laws – Unlawful Use of Off-Highway Recreational Vehicles – Administrative Penalties

FOR the purpose of requiring the clerk of the court to report to the Motor Vehicle Administration the adjudication of a minor as delinquent or a finding that a minor has committed a delinquent act for a certain highway violation involving the use of an off-highway recreational vehicle; requiring the Administration to suspend the driver's license of a minor for certain time periods if it receives a certain report from the clerk of the court; requiring the Administration to maintain certain records under certain circumstances; requiring a court to notify the Administration if a person is convicted of a certain highway violation involving the use of an off-highway recreational vehicle; requiring the Chief Judge of the District Court, in conjunction with the Administration, to adopt certain reporting procedures; requiring the Administration to suspend the driver's license of a person for certain time periods if it receives certain notice from a court; requiring the Administration to assess points against a minor if the minor is adjudicated as delinquent or has committed a delinquent act for a certain highway violation; and generally relating to administrative penalties for the unlawful use of off-highway recreational vehicles.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–8A–23(a)(3) and (5)
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 13–401(b) and 16–206(b)(2) and (4) and (c)(3) and (4)

Annotated Code of Maryland

(2012 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 16–206(b)(3) and (c)(5)

Annotated Code of Maryland

(2012 Replacement Volume)

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

House Bill 1139 – Delegate Frush

AN ACT concerning

Vehicle Laws – Manufacturers, Distributors, and Factory Branches – ~~Compensation of~~ Relationship with Dealers

FOR the purpose of prohibiting, except under certain circumstances, a manufacturer, distributor, or factory branch from requiring, attempting to require, coercing, or attempting to coerce a dealer to purchase certain goods or services from certain vendors under certain circumstances; providing for the construction of a certain prohibition under this Act; repealing a requirement that certain factors be considered in determining whether a dealer has been reasonably compensated; 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~~ certain 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; altering a certain provision relating to denial of a dealer's claim to prohibit a manufacturer from basing a denial on certain technical or administrative errors under certain circumstances; repealing the authority of the Motor Vehicle Administrator to require a certain licensee to pay a certain fine for certain violations relating to the compensation of dealers; and generally relating to ~~compensation of~~ relationships between motor vehicle dealers ~~by~~ and motor vehicle manufacturers, distributors, or factory branches.

BY adding to

Article – Transportation
Section 15–207(k)
Annotated Code of Maryland
(2012 Replacement Volume)

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.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #63

Senate Bill 481 – Senators Manno, Madaleno, and Raskin

AN ACT concerning

~~Income Tax Credit – Home Generators~~
Task Force on the Implementation of Tax Benefits for Emergency
Preparedness Equipment

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1052)

The Bill was then sent to the House of Delegates.

**Senate Bill 701 – Senators Jones–Rodwell, Frosh, Currie, Forehand,
McFadden, Muse, and Pugh**

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

Senator Simonaire moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

THIRD READING CALENDAR (SENATE BILLS) #64

Senate Bill 341 – ~~Senator Madaleno~~ Senators Madaleno and Simonaire

AN ACT concerning

**Higher Education – Academic Program Action – Repeal of Application Fees
and Report**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1053)

The Bill was then sent to the House of Delegates.

Senate Bill 566 – Senator Brinkley

AN ACT concerning

~~**Motor Vehicle Registration – Exception for All-Terrain and Utility Terrain
Vehicles**~~

Vehicle Laws – Unregistered Emergency Vehicles – Operating on Highways

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1054)

The Bill was then sent to the House of Delegates.

Senate Bill 791 – Senator Kelley

AN ACT concerning

Juvenile Law – Dispositions – Placement Guidance

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1055)

The Bill was then sent to the House of Delegates.

Senate Bill 872 – Senator Jacobs

AN ACT concerning

Criminal Procedure – Venue for Prosecution of Murder and Manslaughter

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1056)

The Bill was then sent to the House of Delegates.

Senate Bill 988 – Senator Muse

AN ACT concerning

Crimes – Threat of Mass Violence

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1057)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #19

House Bill 581 – Delegates Hubbard, Bobo, Cullison, Donoghue, Pena-Melnyk, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, Bromwell, Costa, Elliott, Frank, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Ready, Reznik, and Tarrant

AN ACT concerning

Hospitals – Establishment of Palliative Care Pilot Programs ~~–Required~~

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1058)

The Bill was then sent to the House of Delegates.

House Bill 890 – ~~Delegate Bromwell~~ Delegates Bromwell, Hammen, Pendergrass, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Health – Overdose Response Program – Establishment

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1059)

The Bill was then sent to the House of Delegates.

House Bill 1159 – Delegates Kramer, Arora, Barkley, Bobo, Carr, Dumais, Luedtke, McDonough, Mizeur, Simmons, and Wood

AN ACT concerning

Electric Companies – Service Restoration – ~~Prioritized~~ Special Medical Needs Facilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1060)

The Bill was then sent to the House of Delegates.

House Bill 1203 – Delegates Kramer and Simmons

AN ACT concerning

Homeowner’s or Renter’s Insurance – Underwriting and Policy Exclusions – Specific Breed or Size of Dog Notices

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1061)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #20**CONSENT CALENDAR #9**

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 128 (Emergency Bill)	Del. M. Washington	Homestead Tax Credit – Eligibility Verification and Application	B&T
HB 335	Del. Mitchell	Baltimore City – Payment in Lieu of Taxes Agreements – Economic Development Projects	B&T
HB 644	Del. Olszewski	Income Tax – Electronic Filing – Designation to Purchase Federal Savings Bonds	B&T
HB 802	Calvert County Del.	Calvert County – Public Facilities Bonds	B&T
HB 846	Carroll County Del.	Carroll County – Public Facilities Bonds	B&T
HB 1020	Del. Rosenberg	Baltimore City – Video Lottery Terminal Proceeds – Local Impact Grants	B&T
HB 1190	Del. Hixson	County Property Tax – Personal Property Rate	B&T
HB 1513 (AMENDED)	Del. Hixson	Public Safety – Response to a State Disaster or Emergency – Licensing and Taxes	B&T

All of the above listed bills on the Third Reading Consent Calendar No. 9 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1062)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #21

House Bill 1006 – Delegates Anderson, Waldstreicher, Braveboy, Carter, Conaway, Dumais, Haynes, Ivey, Swain, Valderrama, and M. Washington

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

Senator Simonaire moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

CONCURRENCE CALENDAR #14

AMENDED IN THE HOUSE

Senate Bill 161 – Senator Kelley

AN ACT concerning

Real Property – Common Ownership Communities – Foreclosure of Liens

Senator Frosh moved that the Senate not concur in the House amendments.

SB0161/410213/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 161

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “, member,”; in line 6, after “assessments” insert “, costs, and attorney’s fees”; and in the same line, after “terms;” insert “providing for the application of this Act;”.

AMENDMENT NO. 2

On page 2, in line 13, after the semicolon insert “**OR**”; strike beginning with “**A**” in line 14 down through “**3.**” in line 17; in line 25, strike “, **MEMBER,**”; in line 27, strike “**DELINQUENT**” and substitute “**:**”.

1. DELINQUENT”;

in line 27, after “PERIODIC” insert “ASSESSMENTS”; in line 28, after “AND” insert:

“2. COSTS AND ATTORNEY’S FEES DIRECTLY RELATED TO THE FILING OF THE LIEN OR EFFORTS TO COLLECT THE DELINQUENT ASSESSMENTS; AND”;

and in line 32, strike the comma.

On page 3, strike in their entirety lines 1 and 2 and substitute “OR LOT OWNER.”.

AMENDMENT NO. 3

On page 3, after line 2, 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 lien filed before the effective date of this Act.”;

and in line 3, strike “2.” and substitute “3.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB 0161
SPONSOR: Sen Kelley
SUBJECT: Real Property – Common Ownership Communities – Foreclosure of Liens

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Muse, Chairman
Senator Zirkin

Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

AMENDED IN THE HOUSE

Senate Bill 809 – Senator Frosh

AN ACT concerning

Maryland Legal Services Corporation Funding – Abandoned Property Funds

Senator Frosh moved that the Senate not concur in the House amendments.

SB0809/574266/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 809

(Third Reading File Bill)

On page 2, in line 12, before “to” insert “**\$3,000,000**”; and strike beginning with the colon in line 14 down through “**THEREAFTER**” in line 18.

The preceding amendment was read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0809

SPONSOR: Sen Frosh

SUBJECT: Maryland Legal Services Corporation Funding – Abandoned Property Funds

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Frosh, Chairman
Senator Gladden
Senator Getty.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

THE COMMITTEE ON FINANCE REPORT #32

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

Senate Bill 447 – Senators Pugh, Astle, and Garagiola

AN ACT concerning

**Business Regulation – Introduction of Additives into Gasoline –
Authorization**

SB0447/787474/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 447

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after the semicolon insert “providing for the content of certain regulations;”.

AMENDMENT NO. 2

On page 2, in line 13, strike “ANY OTHER”; in line 14, after “COMPTROLLER” insert “, INCLUDING REGULATIONS:”

1. THAT SPECIFY THE METHOD FOR INTRODUCING AN ADDITIVE INTO GASOLINE, SUCH AS IN-LINE BLENDING OR ANY METHOD EQUAL TO OR SUPERIOR TO IN-LINE BLENDING, AS DETERMINED BY THE COMPTROLLER; AND

2. THAT PROVIDE FOR THE PAYMENT OF THE MOTOR FUEL EXCISE TAX UNDER § 9-305 OF THE TAX – GENERAL ARTICLE BY A LICENSED DEALER”.

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 627 – Senators Ramirez and Manno

AN ACT concerning

Maryland Energy Administration – Regulated Sustainable Energy Contract Program

SB0627/417672/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 627

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Manno” and substitute “, Manno, and Garagiola”; in line 22, after “program;” insert “requiring the Administration to ensure that financing authorized under this Act complies with certain provisions;”; and in line 24, after “actions;” insert “establishing a time period during which a certain person may object to a regulated sustainable energy contract; requiring that an objection made to a regulated sustainable energy contract be in writing and addressed to certain”

persons; prohibiting a regulated sustainable energy contract from becoming effective if certain requirements are met;”.

On page 2, in line 5, after “Act;” insert “prohibiting a lien imposed by a certain qualified contractor from taking priority over a lien, mortgage, deed of trust, or other security interest that is already attached to the property; prohibiting a party that holds a recorded mortgage or deed of trust on a certain property from being charged for any amount due on a certain regulated sustainable energy contract; requiring payment on a certain regulated sustainable energy contract to resume when the property subject to the regulated sustainable energy contract is sold or transferred to a certain person;”.

AMENDMENT NO. 2

On page 3, in line 9, after “THAT” insert “:

(1)”;

and in line 10, after “SUBTITLE” insert “;AND

(2) DOES NOT EXCEED \$30,000”.

On page 4 in line 9 and on page 7 in line 7, strike “**12-1049**” and substitute “**12-1029**”.

On page 6, in line 5, strike “AND”; and in line 6, after “PROGRAM” insert “;AND

(3) NOTWITHSTANDING THE PROVISIONS IN THIS SUBTITLE, SHALL ENSURE THAT ANY FINANCING AUTHORIZED UNDER THIS SUBTITLE SHALL COMPLY WITH APPLICABLE PROVISIONS IN TITLE 12, SUBTITLES 1, 3, 4, 6, 9, AND 10 OF THE COMMERCIAL LAW ARTICLE”.

AMENDMENT NO. 3

On page 6, in line 11, strike “(B)” and substitute “(D)”; in line 12, after “PROPERTY” insert “EXPECTED TO BE”; strike beginning with the colon in line 13 down through “(II)” in line 17 and substitute a comma; strike beginning with “AT” in line 19 down through “EFFECTIVE” in line 20; in line 20, after “OF” insert “:

(I)”;

in line 20, after “THE” insert “EXPECTED”; in line 21, after “EXISTENCE” insert “AND TERMS”; in the same line, after “CONTRACT” insert “; AND”

(II) THE RIGHT OF THE PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST TO OBJECT TO THE CONTRACT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION”;

in line 22, after “(B)” insert “**(1) A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST ON PROPERTY THAT WOULD BE SUBJECT TO A REGULATED SUSTAINABLE ENERGY CONTRACT HAS 30 DAYS FROM RECEIPT OF THE NOTICE REQUIRED UNDER SUBSECTION (A)(2) OF THIS SECTION TO OBJECT TO THE CONTRACT.**”

(2) ANY OBJECTION TO THE CONTRACT ON THE PART OF A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST ON THE PROPERTY MUST BE IN WRITING AND ADDRESSED TO THE OWNER OF THE PROPERTY AND THE QUALIFIED CONTRACTOR.

(C) IF AN OBJECTION IS MADE UNDER SUBSECTION (B) OF THIS SECTION BY A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST ON THE PROPERTY, THE REGULATED SUSTAINABLE ENERGY CONTRACT MAY NOT BECOME EFFECTIVE AND IF EXECUTED SHALL BE VOID.

(D)”;

in line 29, after “(II)” insert “**A REQUIREMENT THAT, IF THERE IS NO OBJECTION BY A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST, THE REGULATED SUSTAINABLE ENERGY CONTRACT BE RECORDED IN THE LAND RECORDS OF THE COUNTY IN WHICH THE PROPERTY IS LOCATED;**”

(III)”;

and strike beginning with “AND” in line 29 down through “SECTION” in line 30.

On page 7, in line 1, strike “(III)” and substitute “(IV)”;

in line 19, strike “AND”;

and in line 25, after “PROPERTY” insert “; AND”

(4) THE REGULATED SUSTAINABLE ENERGY CONTRACT HAS NOT BEEN OBJECTED TO UNDER § 9-20C-04(B) OF THIS SUBTITLE BY A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST ON THE PROPERTY THAT WOULD BE SUBJECT TO THE REGULATED SUSTAINABLE ENERGY CONTRACT".

On page 8, in line 3, strike "A" and substitute "**SUBJECT TO § 9-20C-08 OF THIS SUBTITLE, A**"; in line 14, strike "ARE" and substitute "**IS**"; in line 19, strike "A" and substitute "**(A) (1) SUBJECT TO SUBSECTION (C) OF THIS SECTION, A**"; and after line 25, insert:

"(2) A LIEN IMPOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT TAKE PRIORITY OVER A LIEN, MORTGAGE, DEED OF TRUST, OR OTHER SECURITY INTEREST THAT IS ALREADY ATTACHED TO THE PROPERTY.

(B) IF A PROPERTY SUBJECT TO A REGULATED SUSTAINABLE ENERGY CONTRACT IS FORECLOSED UNDER TITLE 7, SUBTITLE 1 OF THE REAL PROPERTY ARTICLE, ANY DEFICIENCY DUE AS A RESULT OF A LIEN ARISING FROM THE REGULATED SUSTAINABLE ENERGY CONTRACT SHALL BE:

(1) ADDED TO THE TOTAL BALANCE DUE ON THE CONTRACT; AND

(2) SUBJECT TO PERIODIC PAYMENT AS PROVIDED IN THE CONTRACT.

(C) (1) IF A PARTY THAT HOLDS A RECORDED MORTGAGE OR DEED OF TRUST ON A PROPERTY SUBJECT TO A REGULATED SUSTAINABLE ENERGY CONTRACT ACQUIRES THE PROPERTY THROUGH FORECLOSURE, THE PARTY MAY NOT BE CHARGED FOR ANY AMOUNT DUE ON THE REGULATED SUSTAINABLE ENERGY CONTRACT.

(2) PAYMENT ON A REGULATED SUSTAINABLE ENERGY CONTRACT SHALL RESUME WHEN THE PROPERTY SUBJECT TO THE REGULATED SUSTAINABLE ENERGY CONTRACT IS SOLD OR TRANSFERRED TO A PERSON WHO

IS NOT RELATED TO THE PERSON WHO HELD THE RECORDED MORTGAGE OR DEED OF TRUST WHEN THE PROPERTY WAS FORECLOSED.”.

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 1016 – Senator Frosh

AN ACT concerning

Clean Energy Loan Programs – Private Lenders – Collection of Loan Payments

SB1016/777978/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1016
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Frosh” insert “, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Ramirez, and Pugh”; in line 4, after the second “a” insert “commercial”; in line 6, after “mortgage” insert “or deed of trust”; in line 7, after “owed” insert “on a commercial loan”; in the same line, after “lender” insert “or to a county or municipality”; in line 10, after the second “a” insert “certain”; in line 11, after the first “Act;” insert “defining a certain term;”; in line 12, after “of” insert “commercial”; and in line 22, strike “1-1103” and substitute “1-1101, 1-1103.”.

AMENDMENT NO. 2

On page 2, before line 2, insert:

“1-1101.

(a) In this subtitle the following words have the meanings indicated.

(b) “Bond” means a bond, note, or other similar instrument that a county or municipality issues under this subtitle.

(c) “Chief executive” means the president, chair, mayor, county executive, or any other chief executive officer of a county or municipality.

(D) “COMMERCIAL PROPERTY” MEANS REAL PROPERTY THAT IS:

(I) NOT DESIGNED PRINCIPALLY OR INTENDED FOR HUMAN HABITATION; OR

(II) USED FOR HUMAN HABITATION AND IS IMPROVED BY MORE THAN FOUR SINGLE FAMILY DWELLING UNITS.

[(d)] (E) “Program” means a clean energy loan program established under this subtitle.”;

in line 13, after “PROVIDED” insert “TO A COMMERCIAL PROPERTY OWNER”.

On page 3, in line 1, strike “A” and substitute “SUBJECT TO SUBSECTION (C) OF THIS SECTION, A”; in line 8, after “MORTGAGE” insert “OR DEED OF TRUST”; in the same line, after the second “A” insert “COMMERCIAL”; in line 9, after “LOAN” insert “TO THE COMMERCIAL PROPERTY OWNER”; and in line 11, after “LENDER” insert “OR TO THE COUNTY OR THE MUNICIPALITY FOR A LOAN TO A COMMERCIAL PROPERTY OWNER”.

The preceding 2 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB1016/587070/1

BY: Finance Committee

AMENDMENT TO SENATE BILL 1016, AS AMENDED

On page 1 of the Finance Committee Amendments (SB1016/777978/1), in line 9 of Amendment No. 2, strike “**(I)**” and substitute “**(1)**”.

On page 2 of the Finance Committee Amendments, in line 1 of Amendment No. 2, strike “**(II)**” and substitute “**(2)**”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #33

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

House Bill 669 – Delegates Vaughn, Barkley, Barnes, Davis, and Rudolph

AN ACT concerning

Business Regulation – Introduction of Additives into Gasoline – Authorization

HB0669/857375/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 669

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “declaring” in line 6 down through “regulations;” in line 7 and substitute “providing for the content of certain regulations;”.

AMENDMENT NO. 2

On page 2, in line 17, strike “**ANY OTHER**”; in line 18, strike “**REGULATIONS**” and substitute “**REGULATIONS:**

1.”;

in line 18, strike “GOVERNING” and substitute “THAT SPECIFY”; in the same line, strike “OF” and substitute “FOR”; in line 19, after “GASOLINE” insert “, SUCH AS IN-LINE BLENDING OR ANY METHOD EQUAL TO OR SUPERIOR TO IN-LINE BLENDING, AS DETERMINED BY THE COMPTROLLER; AND

2. THAT PROVIDE FOR THE PAYMENT OF THE MOTOR FUEL EXCISE TAX UNDER § 9-305 OF THE TAX – GENERAL ARTICLE BY A LICENSED DEALER”;

strike in their entirety lines 20 through 25, inclusive; and in line 26, strike “3.” and substitute “2.”.

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:

House Bill 695 – Delegate Rudolph

AN ACT concerning

Homeowner’s Insurance – Anti-Concurrent Causation Clause – Prohibited

HB0695/807772/1

BY: Finance Committee

AMENDMENTS TO HOUSE BILL 695

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Prohibited” and substitute “Notice and Study”; in line 5, after “notice,” insert “providing that the notice is not part of the policy or contract of insurance and does not create a private right of action”; in line 6, strike “a”; and in line 7, strike “committee” and substitute “committees”.

AMENDMENT NO. 2

On page 2, in line 10, after “ACC” insert “CLAUSE”; strike beginning with “DESCRIBES” in line 11 down through “(4)” in line 13; in line 15, strike “(5)” and substitute “(4)”; after line 17, insert:

“(B) THE NOTICE UNDER SUBSECTION (A) OF THIS SECTION:

(1) IS NOT PART OF THE POLICY OR CONTRACT OF INSURANCE;
AND

(2) DOES NOT CREATE A PRIVATE RIGHT OF ACTION.”;

in line 18, strike “(B)” and substitute “(C)”; in line 21, after “Committee” insert “and the Senate Finance Committee”; in line 24, strike “Committee” and substitute “Committees”; in line 26, strike “clause (ACC)” and substitute “(ACC) clause”; in lines 27, 29, and 30, in each instance, after “ACC” insert “clause”; and in line 31, strike “5” and substitute “3”.

On page 3, in lines 1 and 3, after “ACC” insert “clause”; in line 4, strike the second “and”; in line 7, after “claims” insert “; and”

(7) the adequacy of the notice required under § 19–215 of the Insurance Article, as enacted by Section 1 of this Act, in informing insureds about exclusions and the ACC clause and whether the notice should:

(i) provide an explanation of how the ACC clause may be applied; or

(ii) state that, if the insured would like an explanation of how the ACC clause may be applied, the insured should communicate with the insurer or the insurance producer, if the insurer has provided the information to the insurance producer”;

in line 9, after “Committee” insert “and staff of the Senate Finance Committee”; in lines 10 and 11, strike “requested by the Committee” and substitute “the Committees request the Maryland Insurance Administration to provide”; in line 12, strike “Committee” and substitute “Committees”; and in line 16, strike “October 1, 2013” and substitute “January 1, 2014”.

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:

House Bill 716 – Delegates Tarrant, Costa, Cullison, Elliott, Hubbard, A. Kelly, Kipke, Krebs, Nathan–Pulliam, Pena–Melnyk, Ready, and V. Turner

AN ACT concerning

Drug Therapy Management – Physician–Pharmacist Agreements

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1009 – Delegate Reznik

AN ACT concerning

~~**Medical Spa Facilities – Licensing Requirements**~~
Cosmetic Surgical Facilities – Regulation

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS REPORT #45

CONSENT CALENDAR #57

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 66 (Emergency Bill)	FAV	Dorchester County Delegation	Dorchester County – Turkey Hunting on Public Land – Sundays

HB 72	FAV	Del O'Donnell	Natural Resources – Aquaculture Coordinating Council – Reporting Date
HB 306 (Emergency Bill)	FAV	Del O'Donnell, et al	Natural Resources – Aquaculture – Shellfish Nursery Permits
HB 465	FAV	Del Otto	Somerset County – Emergency Burning Ban – Adoption and Enforcement
HB 466	FAV	Del Otto	Somerset County – Sale of Small Boat Harbor Dock
HB 554	FAV	Del Schuh, et al	Environment and Public Utilities – Notice to Neighboring Jurisdictions of Applications
HB 561	FAV	Del Hubbard, et al	Agriculture – Nutrient Management – Limiting Applicability
HB 769	FAV	Del Malone, et al	Public Safety – Md Bldg Performance Standards – Local Wind Design and Wind-Borne Debris Standards
HB 793	FAV	Del Hucker	Environment – Asbestos Occupation – Training Program and Examination
HB 828	FAV	Del Beitzel	Business Occupations – Oil and Gas Land Professionals – Registration
HB 877	FAV	Del Morhaim, et al	Procurement – Investment Activities in Iran – Bd of Public Works Authority to Adopt Regs
HB 994	FAV	Del Schuh	Env – Wetlands and Waterways Authorzns – Installation of Personal Watercraft Lifts
HB 1505	FAV	Del Jacobs, et al	Oysters – Power Dredging – Time Period

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #46**

CONSENT CALENDAR #58

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
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HB 68	FAV	Dorchester County Delegation	Dorchester County – Alcoholic Beverages – Micro–Breweries
HB 133	FAV	Dorchester County Delegation	Dorchester County – Alcoholic Beverages – Refillable Containers
HB 162	FAV	Caroline County Delegation	Caroline County – Alcoholic Beverages – Micro–Brewery Licenses
HB 199	FAV	Del Hershey, et al	Queen Anne’s County – Beer, Wine and Liquor Tasting License
HB 343	FAV	Harford County Delegation	Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees
HB 345	FAV	Harford County Delegation	Harford County Liquor Control Board – Reserve Account
HB 410	FAV	Frederick County Delegation	Frederick County – Alcoholic Beverages – License Fees
HB 464	FAV	Del Beitzel	Garrett County – Alcoholic Beverages – Sunday Sales
HB 816 (Emergency Bill)	FAV	Allegany County Delegation	Alcoholic Beverages – Allegany County – Video Lottery Facility Sales and Consumption

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #47**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 327 – Delegates Ready, Bromwell, Elliott, Krebs, Pena–Melnyk, Stocksdales, ~~and Tarrant~~ Tarrant, Hammen, Pendergrass, Costa, Cullison, Donoghue, Frank, Hubbard, Kach, A. Kelly, McDonough, Morhaim, Murphy, Nathan–Pulliam, Oaks, Reznik, and V. Turner

AN ACT concerning

**State Government – Health, Education, and Social Services ~~Provider Data~~
~~Warehouse~~ – Submission of Documents in Electronic Form**

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:

House Bill 749 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Licenses, Permits, and Other Authorizations

HB0749/334137/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 749

(Third Reading File Bill)

On page 12, in line 5, strike “A” and substitute “THE”; in the same line, strike “STATE” and substitute “STATE”.

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:

House Bill 767 – Delegate Frush (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund) and Delegates S. Robinson, ~~Afzali~~, Arora, Barkley, Barnes, Barve, Beidle, Bobo, Cane, Cardin, Carr, Davis, ~~Eckardt~~, Frick, Gaines, George, Gilchrist, Guzzone, Haddaway–Ricchio, Haynes, Healey, Hogan, Holmes, Hubbard, Hucker, Ivey, Kach, A. Kelly, Kipke, Kramer, Lafferty, Lee, Love, Luedtke, Malone, McComas, McIntosh, McMillan, A. Miller, Minnick, Morhaim, Niemann, ~~Norman~~, ~~O'Donnell~~, Olszewski, Pena–Melnyk, Pendergrass, Reznik, Swain, Valentino–Smith, ~~Vitale~~, Waldstreicher, Weir, Wilson, ~~and Zucker~~ Zucker, Busch, Glenn, and Stein

AN ACT concerning

Animal Welfare – Spay/Neuter Fund – Establishment

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:

House Bill 1148 – Delegates Luedtke, Arora, Barkley, Barve, Cardin, Carr, Clippinger, Cullison, Dumais, Frush, Gutierrez, Hixson, Hucker, Kach, Kaiser, A. Kelly, Kipke, A. Miller, Mizeur, Morhaim, Reznik, S. Robinson, Stein, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Natural Resources – Shark Fins – Restriction on Possession or Distribution

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:

House Bill 1253 – Delegates Jacobs, Otto, Weir, and Wood

AN ACT concerning

Natural Resources – Commercial Fishing – Licensing

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #48**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 214 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

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

HB0214/934439/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 214
(Third Reading File Bill)

On page 1, strike beginning with “in” in line 3 down through “months” in line 5 and substitute “to hunt deer on private property in Queen Anne’s County using certain hunting equipment on certain Sundays during certain hunting seasons”; in line 5, after “to” insert “deer”; and in line 6, strike “in Queen Anne’s County”.

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:

House Bill 357 – Delegates Wood, Hubbard, McIntosh, Bohanan, Frush, Jameson, and Murphy

AN ACT concerning

Potomac River Fisheries Commission – Inspection Tax and 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:

House Bill 385 – Delegates S. Robinson, Arora, Barkley, Beidle, Bobo, Cane, Carr, Clippinger, Cullison, Frush, Gaines, Gilchrist, Glenn, Holmes, Hucker, Ivey, Kaiser, A. Kelly, Lafferty, Luedtke, McIntosh, A. Miller, Niemann, Otto, Reznik, Summers, Wilson, and Zucker

AN ACT concerning

Chesapeake Conservation Corps Program – Funding Extension

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:

House Bill 708 – Delegates McIntosh, Beidle, Bobo, Carr, Frush, Hogan, Hubbard, Jacobs, Lafferty, McMillan, Niemann, S. Robinson, and Wilson

AN ACT concerning

Natural Resources – Nuisance Organisms – 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:

House Bill 1019 – Delegates Jameson, Bohanan, Murphy, and Wilson

AN ACT concerning

Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region

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 and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1170 – Delegate Lafferty

AN ACT concerning

Maryland Smart Growth Investment Fund Workgroup

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #49**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 212 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

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

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:

House Bill 216 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

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

HB0216/274330/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 216

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in lines 2, 3, 4, and 7, in each instance, after “County” insert “and St. Mary’s County”.

AMENDMENT NO. 2

On page 2, after line 19, insert:

“(XVIII) ST. MARY’S COUNTY;”;

and in lines 20, 21, 22, and 23, respectively, strike “(XVIII)”, “(XIX)”, “(XX)”, and “(XXI)”, respectively, and substitute “(XIX)”, “(XX)”, “(XXI)”, and “(XXII)”, respectively.

On page 5, after line 13, insert:

“18. ST. MARY’S COUNTY;”;

and in lines 14, 15, 16, and 17, respectively, strike “18.”, “19.”, “20.”, and “21.”, respectively, and substitute “19.”, “20.”, “21.”, and “22.”, respectively.

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 with amendments:

House Bill 293 – Delegates Hubbard, Boteler, Cardin, Cluster, Costa, K. Kelly, Kipke, Malone, ~~and Olszewski~~ Olszewski, Hammen, Pendergrass, Bromwell, Cullison, Elliott, Frank, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Construction Contracts Awarded by Public Bodies – Retention of Percentage as Security

HB0293/134636/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 293

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Construction” in line 2 down through “Security” in line 3 and substitute “State Finance and Procurement – Retention of Percentage of Contract – Security”; strike beginning with the second “the” in line 4 down through “circumstances” in line 7 and substitute “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"; in line 8, after "Act;" insert "making stylistic changes;"; in the same line, strike "as security"; strike beginning with "the" in line 9 down through "body" in line 10 and substitute "contracts as security"; and in line 13, after "17–110" insert "(a) and (b)".

AMENDMENT NO. 2

On page 2, strike in their entirety lines 22 through 34, inclusive.

On page 3, strike in their entirety lines 1 and 2; in line 5, after the second "any" insert "construction"; and in the same line, strike "entered into" and substitute "awarded".

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:

House Bill 585 – Delegates Reznik, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Frick, Healey, Hubbard, A. Kelly, Kipke, Murphy, Nathan–Pulliam, Oaks, Pena–Melnik, Ready, B. Robinson, Tarrant, and V. Turner

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

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:

House Bill 720 – Washington County Delegation

AN ACT concerning

Washington County – Salary Study Commission – Updating Salary and Expense Provisions – ~~Membership~~

HB0720/874635/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 720
(Third Reading File Bill)

On page 1, in line 8, strike "Board of".

On page 8, in line 24, strike "**BOARD OF**"; and in lines 25 and 26, strike "**BOARD DETERMINES**" and substitute "**COUNTY COMMISSIONERS DETERMINE**".

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:

House Bill 1076 – Delegates Eckardt, Beidle, Jacobs, and McDermott

AN ACT concerning

**Counties and Municipalities – Required Legislation or Regulations –
Adoption by Reference**

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:

House Bill 1413 – Delegate Malone

AN ACT concerning

Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

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:

House Bill 1006 – Delegates Anderson, Waldstreicher, Braveboy, Carter, Conaway, Dumais, Haynes, Ivey, Swain, Valderrama, and M. Washington

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

FLOOR AMENDMENT

HB1006/483726/1

BY: Senator Simonaire

AMENDMENTS TO HOUSE BILL 1006

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “shielding;” insert “providing that, if a person is convicted of another shieldable crime after a conviction has been shielded in accordance with certain provisions of law, the original conviction shall no longer be shielded;”.

AMENDMENT NO. 2

On page 5, after line 23, insert:

“(3) IF A PERSON IS CONVICTED OF ANOTHER SHIELDABLE CRIME AFTER A CONVICTION HAS BEEN SHIELDED IN ACCORDANCE WITH THIS SUBTITLE, THE ORIGINAL CONVICTION SHALL NO LONGER BE SHIELDED.”

The preceding 2 amendments were read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 1063)

The Bill was then sent to the House of Delegates.

**Senate Bill 701 – Senators Jones–Rodwell, Frosh, Currie, Forehand,
McFadden, Muse, and Pugh**

AN ACT concerning

Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 41 Negative – 6 (See Roll Call No. 1064)

The Bill was then sent to the House of Delegates.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #50**

CONSENT CALENDAR #60

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 4	FAV	Dels Haddaway– Riccio and Eckardt	Alcoholic Beverages – Brewery License – On–Premises Consumption
HB 70	FAV	Del Carr	State Government – Access to Public Records in Electronic Formats – Termination Date
HB 209	FAV	The Spkr (DLS)	State Board of Public Accountancy – Sunset Extension and Program Evaluation
HB 231	FAV	Del Schulz, et al	Alcoholic Beverages – Class 7 Limited Beer Wholesaler’s License
HB 270	FAV	Del Haddaway– Riccio, et al	Electrical Inspectors and Plumbing Inspectors – Master License Required
HB 319	FAV	Carroll County Delegation	Carroll County – Board of Education – Nonvoting Student Representative
HB 891	FAV	Del McConkey, et al	Anne Arundel County – Drug Free School Zones – Hotline Number on Signs

HB 983	FAV	Del Hixson, et al	Public Schools – Emergency Management Plans – Evaluations
HB 1012	FAV	Del Wilson, et al	Higher Education – Tuition Waiver – Foster Care Recipients
HB 1131	FAV	Del Hixson	Commission on the Establishment of a Maryland Educators Service Memorial
HB 1168	FAV	Del Hixson	Education – Minority Teacher Recruitment – Study and Report
HB 1176	FAV	Del Hixson, et al	Primary and Secondary Education – Online Courses and Services – Accessibility
HB 1342	FAV	Del Kaiser, et al	Maryland Longitudinal Data System – Governing Board and Data Transfers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #51**

CONSENT CALENDAR #59

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

BILL NO.	REPORT	SPONSOR	CONTENT
HB 98	FAV	Del Hubbard	State Board of Examiners of Psychologists – License Renewal
HB 179	FAV	Del Hubbard, et al	Pharmacists – Administration of Vaccinations – Expanded Authority and Reporting Requirements
HB 206	FAV	The Spkr (DLS)	Health Occupations – Sunset Extension and Program Evaluation
HB 314	FAV	Del Pena–Melnik, et al	State Bd of Morticians and Funeral Directors – Authority to Discipline – Funeral Est Licenses
HB 425 (Emergency Bill)	FAV	Dels Nathan–Pulliam and V. Turner	St Bd of Nursing – Medication Technician Graduates and Certd Medication Technicians – Sunset Ext
HB 529	FAV	Dels Pena–Melnik and Hubbard	St Bd of Morticians and Fnrl Drctrs – Apprentice Sponsors, Fnrl Est Licenses, & Suprvsng Morticians

HB 591	FAV	Del Morhaim	State Board of Pharmacy – Wholesale Distribution – Pharmacies
HB 624	FAV	Del Pena–Melnyk, et al	State Board of Nursing – Licensure by Endorsement – Clinical Experience
HB 723	FAV	Del Tarrant, et al	Health Occupations – Physician Assistants – Authority to Practice
HB 868 (Emergency Bill)	FAV	Del Murphy, et al	Health Occupations – State Board of Pharmacy – Waivers – Pharmacies That Only Dispense Devices
HB 879	FAV	Del Hubbard	Health Occupations – Polysomnographic Technologists – Licensure and Discipline
HB 900	FAV	Del Kach	Md Bd of Physicians – Failure to Renew a License or Misrepresentation as a Lic'd Person – Penalties
HB 905	FAV	Del Kach, et al	Health Occupations – Funeral Establishments – Preparation and Holding Rooms
HB 980	FAV	Del V. Turner, et al	Md Bd of Physcns – Auth to Iss Temp Lics and Rdtm Thrpy, Rdgrphy, Nuc Mdcn Tch, and Rdlgy Adv Cmm
HB 1121	FAV	Del Kipke, et al	Health Occupations – Dental Hygienists – Provision of Services at a Community–Based Health Fair
HB 1237	FAV	Del Bromwell (State Board of Pharmacy)	Hlth Cr Practs – Prsptn Drg or Dvc Dspn – Med Facs or Clns Tht Splze in Trtmt Reib Wrkrs' Comp Ins

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #53**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 18 – ~~Delegate Vitale~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Refillable Container 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 with amendments:

House Bill 48 – ~~Delegate B. Robinson~~ Delegates B. Robinson, Hammen, Donoghue, Elliott, A. Kelly, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, and V. Turner

AN ACT concerning

Minority Business Enterprises – Not-for-Profit Entities

HB0048/874934/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 48

(Third Reading File Bill)

On page 8, in line 5, strike “IS”; in line 6, after “**(1)**” insert “IS”; in the same line, strike the comma; in line 7, after “STATE” insert “;

(2)”;

in line 7, strike “THAT”; and in line 10, strike “**(2)**” and substitute “**(3) IS**”.

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:

House Bill 145 – ~~Delegate George~~ Anne Arundel County Delegation

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container License

HB0145/734930/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 145
(Third Reading File Bill)

On page 2, in line 6, after the second “LICENSE” insert “, A CLASS B LICENSE,”.

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:

House Bill 167 – Delegates Ivey, Afzali, Anderson, Aumann, Barkley, Barnes, Barve, Bohanan, Branch, Braveboy, Bromwell, Burns, Cane, Cardin, Carter, Clippinger, Conaway, Cullison, Davis, Elliott, Feldman, Frick, Frush, Gaines, George, Gilchrist, Glass, Glenn, Griffith, Guzzone, Hammen, Haynes, Healey, Hershey, Holmes, Howard, Hubbard, Hucker, James, Jameson, Jones, Kach, Kaiser, Kipke, Kramer, Krebs, Luedtke, McConkey, McDonough, A. Miller, Mitchell, Morhaim, Myers, Nathan–Pulliam, Niemann, Norman, Oaks, Olszewski, Pena–Melnik, Ready, Reznik, B. Robinson, S. Robinson, Serafini, Smigiel, Stein, Stukes, Summers, Tarrant, F. Turner, V. Turner, Valderrama, Valentino–Smith, Waldstreicher, Walker, A. Washington, M. Washington, Wilson, Wood, and Zucker

AN ACT concerning

State Government – Commemorative Days – Maryland Emancipation Day

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:

House Bill 191 – Delegates Mitchell, Bromwell, Afzali, Branch, Braveboy, Cardin, Carter, Glenn, Pena–Melnik, B. Robinson, Smigiel, Stukes,

Walker, M. Washington, ~~and Wilson~~ Wilson, Hammen, Pendergrass, Costa, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, Morhaim, Murphy, Nathan-Pulliam, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Procurement – ~~Maryland Buy American Steel and~~ Purchase of American Manufactured Goods Act

HB0191/654330/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 191
(Third Reading File Bill)

On page 5, in line 7, after “INCLUDES” insert “:

1.”;

in lines 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22, strike “1.”, “2.”, “3.”, “4.”, “5.”, “6.”, “7.”, “8.”, “9.”, “10.”, “11.”, “12.”, “13.”, “14.”, and “15.”, respectively, and substitute “A.”, “B.”, “C.”, “D.”, “E.”, “F.”, “G.”, “H.”, “I.”, “J.”, “K.”, “L.”, “M.”, “N.”, and “O.”, respectively; and in line 22, after “CALL” insert “; AND”

2. INFORMATION TECHNOLOGIES AND TELECOMMUNICATIONS PRODUCTS AND TECHNOLOGIES THAT ARE USED FOR THE PURPOSES LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH”.

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:

House Bill 275 – Wicomico County Delegation

AN ACT concerning

Wicomico County Liquor Act of 2013

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:

House Bill 999 – Worcester County Delegation

SECOND PRINTING

AN ACT concerning

**Worcester County – Alcoholic Beverages Licenses – Fines – Alcohol
Awareness Program**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #54**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

**House Bill 95 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

Environment – Permits – New Source Performance Standards

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:

House Bill 543 – Carroll County Delegation

AN ACT concerning

Carroll County – Deer Hunting – Sundays

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:

House Bill 572 – Delegates Beidle and Frush

AN ACT concerning

Natural Resources – Tree Expert License – Qualifications

HB0572/394335/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 572

(Third Reading File Bill)

On page 3, in line 34, strike “the effective date” and substitute “on the taking effect of the termination”.

On page 4, in line 1, after “date” insert “of the termination”; and in line 2, after the second “effect” insert “of the termination”.

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:

House Bill 598 – Delegate Carr

AN ACT concerning

Water and Sewer Service – Billing Period

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:

House Bill 706 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Forest Preservation Act of 2013

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:

House Bill 936 – Delegates S. Robinson, Carr, Gilchrist, Haddaway–Riccio, and Mizeur

AN ACT concerning

Natural Resources – Maryland Botanical Heritage Workgroup

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:

House Bill 1440 – Chair, Environmental Matters Committee (By Request – Departmental – Environment) ~~and Delegate Mizeur~~ and Delegates Mizeur and Carr

AN ACT concerning

Recycling – Composting Facilities

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #55**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 7 – Delegate Bohanan

AN ACT concerning

Southern Maryland Higher Education Council – Modifications

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:

**House Bill 196 – Delegates Cardin, Morhaim, Reznik, Rosenberg, and
M. Washington**

AN ACT concerning

Election Law – Special Elections – Voting by Mail

HB0196/874133/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 196

(Third Reading File Bill)

On page 10, in line 18, strike “9-501(c)” and substitute “9-501(D)(2)”.

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:

**House Bill 362 – Chair, Environmental Matters Committee (By Request –
Departmental – Ethics Commission, State)**

AN ACT concerning

Public Ethics – Definition of “Interest” – Mutual Funds

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:

House Bill 639 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

~~Maryland–Washington Metropolitan District and~~ **Regional District –
Boundaries – City of Laurel
MC/PG 111–13**

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:

House Bill 642 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Sewage Leaks – Posting
Requirements
MC/PG 114–13**

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:

House Bill 730 – Delegates Parrott, Afzali, Aumann, Boteler, Dwyer, Eckardt, Frank, George, Haddaway–Ricchio, Hogan, Hough, Impallaria, Kipke,

Krebs, McComas, W. Miller, Norman, Smigiel, Stocksdale, Szeliga, and Vitale

AN ACT concerning

Election Law – Polling Places – Electioneering

HB0730/664134/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 730

(Third Reading File Bill)

On page 3, in lines 1, 4, 17, and 20, in each instance, strike “7” and substitute “5”.

The preceding committee amendment was withdrawn.

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:

House Bill 1257 – Delegates McIntosh, Bobo, Healey, Lafferty, and Niemann

AN ACT concerning

Land Use – Clarifications and Corrections

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:

House Bill 1432 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – Public Safety Surcharge
PG 421–13

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:

House Bill 1433 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – School Facilities Surcharge
PG 420–13**

Senator Ramirez moved, duly seconded, to make the Bill and Report a Special Order for the P.M. session.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 1514 – Howard County Delegation

AN ACT concerning

**Howard County – Noise Control – Outdoor Concert Venues
Ho. Co. 9–13**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #56**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 225 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barve, Branch, Braveboy, Dumais, Feldman, Frush, Glass, Hubbard, Hucker, Jameson, A. Kelly, Kipke, Kramer, Lee, Love, Malone, McHale, Minnick, Mitchell, Morhaim, Olszewski, S. Robinson, Rosenberg, ~~and Rudolph~~ Rudolph, James, Frank, Wilson, Krebs, Szeliga, McComas, Weir, DeBoy, Wood, Impallaria, O’Donnell, Elliott, Bromwell, Beitzel, A. Miller, Hammen, Pendergrass, Costa, Cullison,

Donoghue, Kach, Murphy, Nathan–Pulliam, Pena–Melnyk, Ready, Reznik, Tarrant, V. Turner, Burns, Davis, Haddaway–Riccio, Hershey, Vaughn, Schuh, Schulz, and Stifler

AN ACT concerning

Veterans Full Employment Act of 2013

HB0225/464438/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 225

(Third Reading File Bill)

On page 16, in line 9, after “EXPEDITE” insert “THE PROCESS FOR”.

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:

House Bill 238 – Delegates Oaks, Anderson, Branch, Carter, Conaway, Glenn, Haynes, Mitchell, B. Robinson, Stukes, ~~Tarrant, and F. Turner~~ and Tarrant

AN ACT concerning

Morgan State University – Board of Regents – Length and Limitation of Terms and Residency Requirement

HB0238/994239/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 238

(Third Reading File Bill)

On page 1, in line 6, strike “certain members” and substitute “a member”.

On page 2, in line 16, strike “1.”; strike beginning with “EXCEPT” in line 16 down through “A” in line 17 and substitute “A”; strike in their entirety lines 19 and 20; and in line 22, strike “4” and substitute “3”.

On page 3, in line 1, strike “, except for”; and in line 2, strike “who is an elected official, a member”.

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:

House Bill 331 – Delegates Morhaim, Barve, Bromwell, Costa, Hubbard, James, Kach, K. Kelly, Kipke, Lafferty, McMillan, W. Miller, Mizeur, O’Donnell, Pena–Melnyk, Smigiel, Stein, Tarrant, ~~and V. Turner~~ V. Turner, Hammen, Pendergrass, Cullison, Donoghue, Elliott, Frank, A. Kelly, Krebs, McDonough, Nathan–Pulliam, Oaks, Ready, and Reznik

AN ACT concerning

Open Meetings Act – Violations and 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:

House Bill 527 – Delegate Clagett

AN ACT concerning

Frederick Regional Higher Education Advisory Board

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:

House Bill 823 – Delegates M. Washington, Anderson, Braveboy, Carter, Clippinger, Conaway, Cullison, Donoghue, Griffith, Gutierrez, Hucker, Kaiser, Lee, McIntosh, A. Miller, Oaks, Olszewski, Pena–Melnik, B. Robinson, Stukes, Tarrant, Valentino–Smith, Waldstreicher, and Walker

AN ACT concerning

Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth

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:

House Bill 1014 – Delegate Stein

AN ACT concerning

~~Nonpublic Schools~~ **Public and Nonpublic Schools – Epinephrine Availability and Use – Policy ~~and Immunity~~**

HB1014/764034/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1014

(Third Reading File Bill)

On page 1, strike beginning with “providing” in line 7 down through “liability” in line 10 and substitute “providing that certain nurses and certain school personnel may not be held personally liable for certain acts or omissions”.

On page 2, in line 21, strike “SIGNS AND”; strike beginning with “BY” in line 22 down through “ANAPHYLAXIS” in line 25; strike beginning with the comma in line 29 down through “TO” in line 30; in line 30, strike the comma; and in line 31, after the semicolon, insert “AND”.

On page 3, in line 4, strike “; AND” and substitute a period; strike in their entirety lines 5 through 13, inclusive; and after line 13, insert:

“(D) EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, A SCHOOL NURSE OR OTHER SCHOOL PERSONNEL WHO RESPOND IN GOOD FAITH TO THE ANAPHYLACTIC REACTION OF A CHILD IN ACCORDANCE WITH THIS SECTION MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACT OR OMISSION IN THE COURSE OF RESPONDING TO THE REACTION.”.

On pages 4 and 5, strike in their entirety the lines beginning with line 33 on page 4 through line 3 on page 5, inclusive.

On page 5, after line 3, insert:

“(D) EXCEPT FOR ANY WILLFUL OR GROSSLY NEGLIGENT ACT, SCHOOL PERSONNEL WHO RESPOND IN GOOD FAITH TO THE ANAPHYLACTIC REACTION OF A CHILD IN ACCORDANCE WITH THIS SECTION MAY NOT BE HELD PERSONALLY LIABLE FOR ANY ACT OR OMISSION IN THE COURSE OF RESPONDING TO THE REACTION.”.

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:

House Bill 1096 – Delegate Hammen (Chair, Health and Government Operations Committee)

EMERGENCY BILL

AN ACT concerning

State Board of Physicians and Allied Health Advisory Committees – Sunset Extension and Program Evaluation

HB1096/784830/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1096

(Third Reading File Bill)

On page 31, in line 31, strike “; AND” and substitute a period.

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:

House Bill 1296 – Delegates Cullison and Frank

AN ACT concerning

State Board of Physicians – Quasi–Judicial Powers – Revision**HB1296/484734/1**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1296

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Powers” insert “and the Board of Review”; in the same line, strike “Revision” and substitute “Revisions”; in line 8, after “law;” insert “repealing the authority for certain persons to appeal certain decisions to the Board of Review, followed by a certain appeal; specifying that certain persons may take certain judicial appeals;”; in line 9, strike “quasi–judicial powers of the”; and in line 12, after “14–206” insert “and 14–408”.

AMENDMENT NO. 2

On page 3, after line 3, insert:

“14–408.

(a) [Except as provided in this section for an action under § 14–404 of this subtitle or § 14–5A–17 of this title, any person aggrieved by a final decision of the Board in a contested case, as defined in the Administrative Procedure Act, may:

(1) Appeal that decision to the Board of Review; and

(2) Then take any further appeal allowed by the Administrative Procedure Act.

~~(b)~~ (1) Any person aggrieved by a final decision of the Board IN A CONTESTED CASE, AS DEFINED IN THE ADMINISTRATIVE PROCEDURE ACT, [under § 14–404 of this subtitle or § 14–5A–17 of this title may not appeal to the Secretary or Board of Review but] may take a direct judicial appeal.

(2) The appeal shall be made as provided for judicial review of final decisions in the Administrative Procedure Act.

~~(c)~~ (B) An order of the Board may not be stayed pending review.

~~(d)~~ (C) The Board may appeal from any decision that reverses or modifies its order.”.

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 with amendments:

House Bill 1313 – Delegate Cullison

EMERGENCY BILL

AN ACT concerning

State Board of Physicians – Consultation, Qualification for Licensure, License Renewal, and Representation to the Public

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1313

(Third Reading File Bill)

On page 7, in line 17, strike “IN” and substitute “:

1. IN”;

in the same line, strike “, WITH” and substitute “:

2. WITH”;

in line 18, after “APPLICATION;” insert “AND”; strike beginning with “(II)” in line 19 down through “OCCURRED” in line 20 and substitute:

“3. THAT OCCURRED”;

in line 22, strike “(III)” and substitute “(II)”; in the same line, strike “NO” and substitute “HAS NO”; in the same line, strike “IS”; in the same line, strike “OR HAS BEEN” and substitute “AND HAS HAD NO DISCIPLINARY ACTION”; and in line 23, after “APPLICANT” insert “THAT WOULD BE GROUNDS FOR DISCIPLINE UNDER § 14-404 OF THIS TITLE”.

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 JUDICIAL PROCEEDINGS REPORT #28

CONSENT CALENDAR #56

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

House Bill 12 – Delegate Arora

AN ACT concerning

Crimes – Aiming Laser Pointer at Aircraft

HB0012/978378/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 12
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “specifying” in line 6 down through “sentence;” in line 7.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 20 through 22, inclusive.

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:

House Bill 697 – Delegate Dumais

AN ACT concerning

**Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act –
Applicability**

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:

House Bill 853 – Delegate Dumais

AN ACT concerning

Family Law – Domestic Violence – Permanent Final Protective Orders

HB0853/358676/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 853

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “serve”; in line 5, strike “certain crimes” and substitute “a certain act of abuse”; in the same line, after “circumstances” insert “and who has served a certain period of time”; and strike beginning with “adding” in line 5 down through the second “of” in line 6 and substitute “altering the”.

AMENDMENT NO. 2

On page 2, in line 26, strike “SERVE”; strike beginning with “under” in line 26 down through “Article” in line 28; and in line 29, after “order” insert “AND HAS SERVED AT LEAST 12 MONTHS OF THE SENTENCE”.

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:

House Bill 858 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Modified Administration and Inheritance Tax

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 921 – Delegates Valentino–Smith, Kach, Lee, McComas, and Vallario

AN ACT concerning

**Correctional Services – Inmate Earnings – Compensation for Victims of
Crime**

Favorable report 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. 1065)

ADJOURNMENT

At 12:30 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 4:30 P.M. on Legislative Day April 1, 2013, Calendar Day, Friday, April 5, 2013.

Annapolis, Maryland
Legislative Day: April 1, 2013
Calendar Day: Friday, April 5, 2013
4:30 P.M. Session

The Senate met at 4:52 P.M.

QUORUM CALL

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

(See Roll Call No. 1066)

The Journal of March 31, 2013 was read and approved.

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

CONFERENCE COMMITTEE REPORT

House Bill 100 – The Speaker (By Request – Administration)

AN ACT concerning

Budget Bill
(Fiscal Year 2014)

Introductory Remarks of the Honorable Edward J. Kasemeyer, Chairman Senate Budget and Taxation Committee regarding the Budget Bill Conference Committee Report.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL 100 –
THE BUDGET BILL

(See Exhibit I of Appendix III)

CONFERENCE COMMITTEE
REPORT ON HOUSE BILL 100 – THE BUDGET BILL AND
HOUSE BILL 102 – THE BUDGET RECONCILIATION AND FINANCING ACT

(See Exhibit J of Appendix III)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 37 Negative – 8 (See Roll Call No. 1067)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: **HB 102** SPONSOR: **The Speaker**

SUBJECT: **Budget Reconciliation and Financing Act of 2013**

THIRD READING CALENDAR HOUSE NO. **26** SENATE NO. **r/s**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Budget and Taxation Committee Amendments (HB0102/879732/1) be rejected.

(2) That the Budget and Taxation Committee Floor Amendment (HB0102/269832/1) be rejected.

(3) That the Amendments by Senator Brinkley (HB0102/603426/1) be rejected.

(4) That the attached Conference Committee Amendments (HB0102/443525/1) be adopted.

HB0102/443525/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 102

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after “costs;” insert “providing that certain regulations and licensing requirements of the State Lottery and Gaming Control Commission supersede certain county fees or regulations and licensing requirements;”; in line 17,

before “altering” insert “providing that a certain supplemental grant to a certain county board of education may not be less than a certain amount; providing certain grants to certain county boards of education under certain circumstances;”; and in line 25, after “Agency;” insert “altering a certain maximum fee for commissioning a notary public; altering a certain maximum fee that may be set for certain notarial acts;”.

On page 2, in line 12, after “Comptroller;” insert “altering certain required transfers of funds; requiring the reversion of certain funds to the Fair Campaign Financing Fund under certain circumstances; altering the calculation of certain State distributions made to certain counties and Baltimore City based on per capita yield of county income taxes; altering the minimum rate for the county income tax for a county to qualify for a certain grant; repealing a certain obsolete provision;”; in line 13, before “setting” insert “allowing an individual or corporation a credit against the State income tax for the expense of registering certain qualified vehicles; providing for the amount of the credit;”; in line 23, after “circumstances;” insert “prohibiting merit increases for State employees before a certain date, except under certain circumstances; requiring certain reports to be submitted to certain committees of the General Assembly on or before a certain date; requiring the Secretary of the Environment to convene a certain workgroup and to make a certain report; requiring the Comptroller to make certain income tax distributions without making certain adjustments; requiring the Comptroller to submit a report on a certain account and certain interest imposed on tax deficiencies and refunds on or before a certain date; prohibiting the reversion to the General Fund of certain funds under certain circumstances;”; in line 24, strike “making conforming changes;”; and in line 25, after “severable;” insert “providing for the application of certain provisions of this Act; making certain provisions of this Act subject to a certain contingency; providing for the effective dates of certain provisions of this Act; providing for the termination of certain provisions of this Act;”.

On page 3, strike in their entirety lines 4 through 8, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 12–301.1(d)

Annotated Code of Maryland

(2012 Replacement Volume and 2012 Supplement)”;

in line 11, after “Section” insert “5–202(e) and (i) and”; in line 26, after “9–112(d)(4)” insert “, 18–103(e)(3), and 18–112”; in line 31, strike “2–202(a) and”; and in line 36, after “2–606(g)” insert “and 10–733”.

On page 4, after line 25, insert:

“BY repealing and reenacting, with amendments,

Chapter 487 of the Acts of the General Assembly of 2009, as amended by

Chapter 484 of the Acts of the General Assembly of 2010

Section 38(b)

BY repealing and reenacting, without amendments,

Chapter 487 of the Acts of the General Assembly of 2009, as amended by

Chapter 484 of the Acts of the General Assembly of 2010 and Chapters
292 and 293 of the Acts of the General Assembly of 2011

Section 38(a) and (c)

BY adding to

Chapter 487 of the Acts of the General Assembly of 2009, as amended by

Chapter 484 of the Acts of the General Assembly of 2010 and Chapters
292 and 293 of the Acts of the General Assembly of 2011

Section 38(m)

BY repealing and reenacting, with amendments,

Chapter 1 of the Acts of the First Special Session of the General Assembly of
2012

Section 9

BY repealing and reenacting, without amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1101(a)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 9–1101(b)(2) and (3) and (d)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Local Government

Section 16–501(a) and (c)(3)

Annotated Code of Maryland

(As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of 2013)

BY repealing and reenacting, with amendments,

Article – Local Government

Section 16–501(b) and (e)

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 9, strike in their entirety lines 7 through 13, inclusive.

On page 11, strike in their entirety lines 2 through 19, inclusive.

AMENDMENT NO. 3

On page 9, after line 6, insert:

“Article – Criminal Law

12–301.1.

(d) (1) The Commission may determine:

[(1) (I) that a county’s licensing and regulatory process for electronic gaming devices is equivalent to the State licensing and regulatory process required under this section; and

[(2) (II) that a county license for owning, operating, or manufacturing an electronic gaming device in that county is equivalent to a State license.

(2) IF THE COMMISSION DOES NOT MAKE A DETERMINATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE REGULATIONS AND LICENSING REQUIREMENTS OF THE COMMISSION SHALL SUPERSEDE:

(I) THE APPLICATION OF ANY COUNTY FEES OR REGULATIONS AND LICENSING REQUIREMENTS FOR ELECTRONIC GAMING DEVICES UNDER THIS SUBSECTION; OR

(II) A REQUIREMENT FOR A COUNTY LICENSE FOR OWNING, OPERATING, OR MANUFACTURING AN ELECTRONIC GAMING DEVICE UNDER THIS SUBSECTION.”

AMENDMENT NO. 4

On page 9, after line 14, insert:

“5–202.

(e) (1) In this subsection, “State financial assistance for public education” means the total financial assistance provided by the State to a county board under the following programs:

(i) Funding for the foundation program under this section;

(ii) In fiscal year 2009, 50% of the funding received under the GCEI adjustment grant program under subsection (f) of this section and in fiscal year 2010, 60% of the funding received under the GCEI adjustment grant program under subsection (f) of this section;

(iii) Transportation aid under § 5–205 of this subtitle;

(iv) Funding for compensatory education under § 5–207 of this subtitle;

(v) Funding for students with limited English proficiency under § 5–208 of this subtitle;

(vi) Funding for special education students under § 5–209 of this subtitle;

(vii) Funding for the guaranteed tax base program under § 5–210 of this subtitle;

(viii) 50% of the State payments for retirement contributions for employees of a local school system in accordance with the provisions of Division II of the State Personnel and Pensions Article; and

(ix) Funding for supplemental grants under this subsection.

(2) (i) For fiscal years 2009 and 2010 only, the State shall provide a supplemental grant to a county board that does not receive at least a 1% increase in State financial assistance for public education over the amount received by the county board in the previous fiscal year.

(ii) The supplemental grant under this paragraph shall be the amount necessary to increase a county board’s State financial assistance for public education by 1% over the amount received by the county board in the previous fiscal year.

(3) (I) [For] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, FOR fiscal year 2011, and each fiscal year thereafter, a county board shall receive a supplemental grant equal to the amount the county board received under paragraph (2) of this subsection in the prior fiscal year.

(II) A SUPPLEMENTAL GRANT MAY NOT BE LESS THAN ZERO.

(i) (1) In this subsection, “total direct education aid” means the total financial assistance provided by the State to a county board under the following programs:

(i) Funding for the foundation program including funds for the Geographic Cost of Education under this section;

(ii) Transportation aid under § 5–205 of this subtitle;

(iii) Funding for compensatory education under § 5–207 of this subtitle;

(iv) Funding for students with limited English proficiency under § 5–208 of this subtitle;

(v) Funding for special education students under § 5–209 of this subtitle;

(vi) Funding for the guaranteed tax base program under § 5–210 of this subtitle; and

(vii) Funding for grants provided under this subsection.

(2) For fiscal year 2012 only, if a county board’s total direct education aid in the current fiscal year is less than the prior fiscal year by more than 6.5%, then the State shall provide a grant to the county board in an amount necessary to ensure that a decrease in total direct education aid is not more than 6.5%.

(3) For fiscal year 2013 only, if a county board’s total direct education aid in the current fiscal year is less than the prior fiscal year by more than 5%, then the State shall provide a grant to the county board in an amount necessary to ensure that a decrease in total direct education aid is not more than 5%.

(4) FOR FISCAL YEAR 2014 ONLY, IF A COUNTY BOARD’S TOTAL DIRECT EDUCATION AID IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR FISCAL YEAR BY MORE THAN 1%, THEN THE STATE SHALL PROVIDE A GRANT TO THE COUNTY BOARD EQUAL TO 25% OF THE DECREASE IN TOTAL DIRECT EDUCATION AID FROM THE PRIOR FISCAL YEAR TO THE CURRENT FISCAL YEAR.”

AMENDMENT NO. 5

On page 10, after line 32, insert:

“18–103.

(e) (3) Each notary shall pay to the clerk:

(i) a fee of \$1 for qualifying the notary and registering the name, address, and commission expiration date of the notary; and

(ii) a fee of [\$10] \$11 or a lesser amount as prescribed by the Secretary of State for the commission issued.

18–112.

(a) The Secretary of State shall adopt regulations to establish fees, not to exceed [\$2] \$4 for an original notarial act, and an appropriate lesser amount for the repetition of that original notarial act or to make a copy of the matter addressed by that original notarial act.

(b) A notary public may charge 19 cents per mile, or a higher amount set by regulation of the Secretary of State, and a fee not to exceed \$5, as compensation for travel required for the performance of a notarial act.”.

AMENDMENT NO. 6

On page 15, after line 6, insert:

“Chapter 487 of the Acts of 2009, as amended by Chapter 484 of the Acts of 2010

(b) Subject to subsection (c) of this section, up to [\$2,000,000] \$1,750,000 of the balance in the Fund may be transferred to the Maryland Information Technology Development Project Fund (program F50A01.01) for the purpose of funding the purchase of a new Optical Scan Voting System.

Chapter 487 of the Acts of 2009, as amended by Chapter 484 of the Acts of 2010 and Chapters 292 and 293 of the Acts of 2011

SECTION 38. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) The General Assembly finds that the Fair Campaign Financing Fund established under § 15–103 of the Election Law Article cannot operate as originally contemplated.

(c) A transfer under this section may not reduce the balance in the Fund below \$1,000,000.

(M) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ON OR BEFORE JUNE 30,

2014, THE GOVERNOR MAY TRANSFER BY BUDGET AMENDMENT AN AMOUNT NOT EXCEEDING \$250,000 OF THE BALANCE IN THE FAIR CAMPAIGN FINANCING FUND TO THE STATE BOARD OF ELECTIONS FOR THE PURPOSE OF CONDUCTING THE STUDIES REQUIRED UNDER CHAPTER _____ (H.B. 224/S.B. 279) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2013.

(2) ANY FUNDS TRANSFERRED FROM THE FAIR CAMPAIGN FINANCING FUND TO THE STATE BOARD OF ELECTIONS UNDER THIS SUBSECTION THAT ARE NOT USED TO CONDUCT THE STUDIES REQUIRED UNDER CHAPTER _____ (H.B. 224/S.B. 279) OF THE ACTS OF THE GENERAL ASSEMBLY OF 2013 MAY NOT BE RETAINED BY THE STATE BOARD OF ELECTIONS AND SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.

Chapter 1 of the Acts of the First Special Session of 2012

SECTION 9. AND BE IT FURTHER ENACTED, That:

(1) The Governor shall include in the budget bill for fiscal year 2014 the transfer of [\$2,000,000] \$1,750,000 from the Fair Campaign Financing Fund to the Maryland Information Technology Development Project Fund (program F50A01.01) that was authorized by Section 38 of Chapter 487 of the Acts of 2009 for the purpose of funding the purchase of a new Optical Scan Voting System.

(2) It is the intent of the General Assembly that, beginning in fiscal year 2015, each county pay its share of one-half of any further cost of acquiring and operating the Optical Scan Voting System as required under Chapter 564 of the Acts of 2001.”.

AMENDMENT NO. 7

On page 15, before line 7, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 24 – Political Subdivisions – Miscellaneous Provisions

(a) (1) Subject to subsection (d) of this section, for each fiscal year, the Comptroller shall distribute to a county the amount determined for each county under this section.

(2) The amount a county shall receive under this section in any fiscal year shall be based on the county income tax collected from individuals for the taxable year that ended in the second prior fiscal year, from returns filed through November 1 immediately preceding the applicable fiscal year, as determined by the Comptroller.

(b) (2) [(i) Subject to subparagraph (ii) of this paragraph, if] IF the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

[(ii) For fiscal year 2012 only, if the per capita yield of the county income tax for a county determined under paragraph (1)(i) of this subsection is less than 77% of the per capita statewide yield of the county income tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 77% of the statewide per capita yield, as rounded to the nearest dollar.]

(3) A county may not receive a distribution under this subsection if the county tax rate in that county was less than [2.4%] 2.6%:

(i) For the taxable year that ended in the second prior fiscal year; or

(ii) For any subsequent taxable year through the taxable year that ends in the current fiscal year.

(d) (1) [For] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (1) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR

BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

(III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Local Government

16–501.

(a) Subject to subsection (e) of this section, for each fiscal year, the Comptroller shall pay to an eligible county a grant in the amount determined under subsection (c)(3) of this section.

(b) A county may not receive a grant under subsection (a) of this section if the county's income tax rate was less than [2.4%] 2.6%:

(1) for the taxable year that ended in the second prior fiscal year; or

(2) for any subsequent taxable year through the taxable year that ends in the current fiscal year.

(c) (3) If the per capita yield of the county income tax for a county determined under paragraph (2)(i) of this subsection is less than 75% of the per capita statewide yield of the county income tax determined under paragraph (2)(ii) of this subsection, the Comptroller shall determine the amount that would increase the county per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest dollar.

(e) (1) [For] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, FOR fiscal year 2011 and each subsequent fiscal year, the distribution provided to any county or Baltimore City under this section may not exceed the amount distributed to the county or Baltimore City for fiscal year 2010.

(2) (I) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

(III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.”.

AMENDMENT NO. 8

On page 15, after line 8, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

10-733.

(A) IN THIS SECTION, “QUALIFIED VEHICLE” MEANS A CLASS F (TRACTOR) VEHICLE DESCRIBED UNDER § 13-923 OF THE TRANSPORTATION ARTICLE THAT IS TITLED AND REGISTERED IN THE STATE.

(B) SUBJECT TO THE LIMITATIONS OF THIS SECTION, AN INDIVIDUAL OR A CORPORATION MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR THE EXPENSE OF REGISTERING A QUALIFIED VEHICLE IN THE STATE.

(C) (1) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS SECTION MAY NOT EXCEED THE LESSER OF:

(I) \$400 FOR EACH QUALIFIED VEHICLE; OR

(II) THE STATE INCOME TAX FOR THAT TAXABLE YEAR.

(2) THE UNUSED AMOUNT OF THE CREDIT MAY NOT BE CARRIED OVER TO ANY OTHER TAXABLE YEAR.”.

On page 18, before line 4, insert:

“SECTION 22. AND BE IT FURTHER ENACTED, That Section 4 of this Act shall take effect September 1, 2013, and shall be applicable to all taxable years beginning after December 31, 2013, but before January 1, 2017, contingent on the taking effect of an increased toll structure at Maryland toll facilities. If an increased toll structure at Maryland toll facilities does not take effect on or before September 1, 2013, Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.”.

AMENDMENT NO. 9

On page 17, strike in their entirety lines 8 through 15, inclusive.

AMENDMENT NO. 10

On page 17, in line 36, after “Fund.” insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) Except as otherwise provided in this section, State employees employed by any entity, including the University System of Maryland, Morgan State University, and St. Mary’s College of Maryland, may not receive merit increases before April 1, 2014.

(b) This provision does not affect:

(1) salaries for constitutional officers or members of the General Assembly;

(2) increases necessary for the retention of faculty in the University System of Maryland, Morgan State University, or St. Mary's College of Maryland;

(3) payments under a collective bargaining agreement negotiated with an accredited representative in accordance with § 7-601 of the Transportation Article;
or

(4) for fiscal year 2014 only, operationally critical staff.

(c) On or before December 1, 2013, in accordance with § 2-1246 of the State Government Article, the University System of Maryland, Morgan State University, and St. Mary's College of Maryland shall each submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted by the governing boards of those institutions to designate operationally critical staff, all staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.

(d) On or before December 1, 2013, in accordance with § 2-1246 of the State Government Article, the Department of Budget and Management shall submit a report to the Senate Budget and Taxation Committee and the House Appropriations Committee that details the policies adopted to designate operationally critical staff, all Executive Branch staff identified as critical under subsection (b)(4) of this section, and any merit increases awarded as a consequence of this designation.”.

AMENDMENT NO. 11

On page 17, after line 36, insert:

“SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 1, 2013, the Governor may transfer \$3,500,000 of the funds in the Oil Contaminated Site Environmental Cleanup Fund established under § 4-704 of the Environment Article to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund established under § 4-411 of the Environment Article.

SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before December 31, 2013, the Governor may transfer the remaining balance in the Oil Contaminated Site Environmental Cleanup Fund established under § 4-704 of the Environment Article to the Maryland Oil Disaster Containment, Clean-Up and Contingency Fund established under § 4-411 of the Environment Article.

SECTION 16. AND BE IT FURTHER ENACTED, That:

(a) The Secretary of the Environment shall convene a workgroup consisting of representatives of the various sectors of the petroleum marketing industry and representatives from appropriate public and private entities to review and assess the long-term funding needs of the oil pollution programs in the State.

(b) On or before December 31, 2013, the Department of the Environment shall report the findings and recommendations of the workgroup convened under subsection (a) of this section to the Governor and, in accordance with § 2-1246 of the State Government Article, the presiding officers of the House and the Senate, the House Environmental Matters Committee, and the Senate Education, Health, and Environmental Affairs Committee.”.

AMENDMENT NO. 12

On page 17, before line 37, insert:

“SECTION 17. AND BE IT FURTHER ENACTED, That:

(a) The Comptroller, for scheduled distributions of county income tax to counties or municipalities during fiscal year 2014, shall make those distributions without adjustments for refunds or related changes resulting from amended income tax returns for previous tax years that are determined to be extraordinary or anomalous. Any adjustments that would ordinarily be administered by the Comptroller in fiscal year 2014 shall instead be administered in subsequent reconciliation distributions.

(b) The Comptroller shall:

(1) evaluate the impacts of recent changes to the Local Reserve Account established to comply with § 2-606 of the Tax – General Article, including the

process by which revenue is distributed from the Account and the current and future unfunded liabilities for the Account;

(2) study the impacts of altering interest paid on tax deficiencies and refunds imposed under §§ 13–603 and 13–604 of the Tax – General Article; and

(3) report specific findings and any recommendations to the Governor and, in accordance with § 2–1246 of the State Government Article, the General Assembly on or before December 31, 2013.”.

AMENDMENT NO. 13

On page 17, in line 37, before “SECTION” insert:

“SECTION 18. AND BE IT FURTHER ENACTED, That funds reduced under Section 42 of Chapter _____ (H.B. 100) of the Acts of the General Assembly of 2013 may not revert to the General Fund but shall be held in reserve unless transferred as provided in that section.”.

AMENDMENT NO. 14

On page 12, in line 15, strike “SECTION” and substitute “SUBSECTION”.

On page 15, in lines 9, 19, 22, and 26, strike “2.”, “3.”, “4.”, and “5.”, respectively, and substitute “5.”, “6.”, “7.”, and “8.”, respectively.

On page 16, in line 34, strike “6.” and substitute “9.”.

On page 17, in line 1, after “Article” insert “to the General Fund”; and in lines 16, 25, 33, and 37, strike “8.”, “9.”, “10.”, and “11.”, respectively, and substitute “10.”, “11.”, “12.”, and “19.”, respectively.

On page 18, after line 3, insert:

“SECTION 20. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2013.

SECTION 21. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect on the taking effect of Chapter _____ (H.B. 472) of the Acts of the General Assembly of 2013. If Section 3 of this Act takes effect, Section 2 of this Act shall be abrogated and of no further force and effect.”;

in line 4, strike “12.” and substitute “23.”; and in the same line, after “That” insert “, except as otherwise provided in this Act.”.

Senate Members:

House Members:

Chair, **Edward J. Kasemeyer**

Chair, **Norman H. Conway**

Verna L. Jones–Rodwell

John L. Bohanan, Jr.

James E. DeGrange, Sr.

Melony G. Griffith

Richard S. Madaleno, Jr.

Guy Guzzone

David R. Brinkley

Adelaide C. Eckardt

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

- (X) Chief Clerk
- () Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 39 Negative – 6 (See Roll Call No. 1068)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #15

AMENDED IN THE HOUSE

Senate Bill 4 – Senator Pugh

AN ACT concerning

State Personnel – Applicants for Employment – Criminal History Records Checks

Senator Middleton moved that the Senate concur in the House amendments.

SB0004/114767/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 4

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 9, strike “OR”; and in line 11, after “CHECK” insert “;OR”

(3) A POSITION IN THE OFFICE OF THE SHERIFF FOR ANY COUNTY”.

AMENDMENT NO. 2

On page 3, strike beginning with the second comma in line 9 down through “Act,” in line 10.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 39 Negative – 4 (See Roll Call No. 1069)

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #29

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 264 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)

AN ACT concerning

Juvenile Law – Juvenile Records – Disclosure

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:

House Bill 291 – Delegate Feldman

AN ACT concerning

Real Property – ~~Stopping Fraud in Maryland Mortgage Assistance Relief Services Act of 2013~~

HB0291/688171/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 291

(Third Reading File Bill)

On pages 3 and 4, strike beginning with “MEANS” in line 28 on page 3 down through “DWELLING” in line 4 on page 4 and substitute “HAS THE MEANING STATED IN 12 C.F.R. § 1015.2 AND ANY SUBSEQUENT REVISION OF THAT REGULATION.”

(2) “MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER” INCORPORATES THE MEANINGS OF OTHER TERMS STATED IN 12 C.F.R. § 1015.2 TO THE EXTENT THOSE TERMS ARE USED TO ESTABLISH THE MEANING OF “MORTGAGE ASSISTANCE RELIEF SERVICE PROVIDER”.

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:

House Bill 311 – Delegates K. Kelly, Arora, Clippinger, Cluster, Conaway, Dumais, Hough, Lee, McComas, McDermott, Mitchell, Simmons, Valderrama, ~~and Valentino-Smith~~ Valentino-Smith, and Howard

AN ACT concerning

Crimes – Requirement to Report Death or Disappearance of Minor – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 430 – Chair, Judiciary Committee (By Request – Departmental – Transportation)

AN ACT concerning

Criminal Law – Alcoholic Beverages – Consumption and Possession in Motor Vehicles

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 563 – Delegate Dumais

AN ACT concerning

Adoption – Payment of Expenses

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:

House Bill 680 – Delegates Hogan, Clagett, Jacobs, O'Donnell, Otto, Schulz, Vitale, Weir, and Wilson

AN ACT concerning

~~Vehicle Registration – Exception for All Terrain and Utility Terrain Vehicles~~
~~– Use in Public Service~~
Vehicle – Unregistered Emergency Vehicles – Operating on Highways

HB0680/458373/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 680
(Third Reading File Bill)

On page 1, in line 4, after “Vehicle” insert “Laws”; in line 13, strike “unregistered emergency vehicle” and substitute “emergency vehicle not subject to registration”; in line 15, strike “unregistered”; and in line 16, after “vehicles” insert “not subject to registration”.

On page 3, in line 26, strike “UNREGISTERED”; and in the same line, after “VEHICLE” insert “NOT SUBJECT TO REGISTRATION”.

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:

House Bill 687 – Delegates ~~Dumais, Carter~~ Carter, Dumais, Anderson, Clippinger, Conaway, McComas, Mitchell, B. Robinson, Smigiel, Valderrama, Valentino-Smith, and Waldstreicher

AN ACT concerning

Commission on Child Custody Decision Making

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 786 – Delegates Carter, Anderson, Braveboy, and M. Washington

AN ACT concerning

Juvenile Law – ~~Jurisdiction and Detention~~ Task Force on Juvenile Court Jurisdiction

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:

House Bill 829 – Delegates M. Washington, B. Robinson, A. Kelly, Anderson, Barve, Bobo, Braveboy, Carr, Carter, Clippinger, Conaway, Cullison, Dumais, Frush, Glenn, Griffith, Gutierrez, Hixson, Huckler, Jones, Kaiser, Lee, Luedtke, McComas, McIntosh, A. Miller, Mizeur, Pena-Melnyk, Reznik, S. Robinson, Rosenberg, Summers, and Waldstreicher

AN ACT concerning

**Correctional Services – Pregnant Detainees and Inmates – Restraint
Restrictions ~~and Reporting~~**

HB0829/768475/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 829
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “it” in line 11 down through “that” in line 12; in line 12, strike “during labor and delivery should” and substitute “may”; and strike beginning with “providing” in line 14 down through “inmate;” in line 15.

AMENDMENT NO. 2

On page 5, strike beginning with “**(A)**” in line 12 down through “**RESTRAINT**” in line 14 and substitute “**RESTRAINT**”; in line 15, strike “**PREGNANT**”; and in the same line, strike “**DURING LABOR AND DELIVERY SHALL**” and substitute “**KNOWN TO BE PREGNANT MAY**”.

On pages 5 and 6, strike in their entirety the lines beginning with line 18 on page 5 through line 6 on page 6, inclusive.

AMENDMENT NO. 3

On page 8, strike beginning with “**IN**” in line 4 down through “**PREGNANCY**” in line 5 and substitute “**PREGNANT**”.

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:

House Bill 857 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Posthumously Conceived Child

HB0857/438675/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 857

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “times” insert “under certain circumstances”.

AMENDMENT NO. 2

On page 3, in line 4, strike “**THE**” and substitute “**IF A DECEDENT CONSENTED IN A WRITTEN RECORD TO USE OF THE DECEDENT’S GENETIC MATERIAL FOR POSTHUMOUS CONCEPTION IN ACCORDANCE WITH THE REQUIREMENTS OF § 20-111 OF THE HEALTH – GENERAL ARTICLE, THE**”; in lines 9 and 21, in each instance, strike “**THE**” and substitute “**A**”; in lines 15 and 19 and 20, in each instance, strike “**AS DESCRIBED**”; in lines 16 and 22, in each instance, strike the first “**OF**” and substitute “**AFTER**”; in line 21, strike “**THE**” and substitute “**A**”; and in line 24, strike the second “**THE**” and substitute “**A**”.

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 with amendments:

House Bill 909 – Delegates Valentino-Smith, Clippinger, Swain, and Valderrama

AN ACT concerning

Criminal Procedure – Venue for Prosecution of Murder and Manslaughter**HB0909/808270/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 909

(Third Reading File Bill)

On page 3, in line 7, strike “§ 2-103.”

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:

House Bill 916 – Delegates Valentino-Smith, M. Washington, Braveboy, Carter, Dumais, Gaines, Hucker, Lee, Rosenberg, Simmons, Swain, Valderrama, and Waldstreicher

AN ACT concerning

Juvenile Law – Dispositions – Placement Guidance**HB0916/558073/1**

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 916

(Third Reading File Bill)

On page 3, strike beginning with “**THAT:**” in line 24 down through “**CHILD**” in line 34, and substitute “**THAT AN OUT-OF-HOME PLACEMENT IS NECESSARY FOR THE WELFARE OF THE CHILD OR IN THE INTEREST OF PUBLIC SAFETY**”.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:

House Bill 933 – Delegates Lee, Aumann, Bobo, DeBoy, Dumais, Eckardt, Frick, Glass, Glenn, Gutierrez, Guzzone, A. Kelly, Krebs, Luedtke, McComas, McDonough, Morhaim, Pendergrass, S. Robinson, F. Turner, Valderrama, and M. Washington

AN ACT concerning

Crimes – Human Trafficking of Minor – Defense of Ignorance of Victim’s Age

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 941 – Delegates Arora and DeBoy

~~EMERGENCY BILL~~

AN ACT concerning

Criminal Law – Fraudulent Liens – Prohibition

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings and Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1101 – Delegates Morhaim, Glenn, Hammen, Pendergrass, Elliott, McIntosh, Hixson, Barve, Branch, Feldman, Tarrant, Barnes, Cane, McHale, Malone, F. Turner, Kach, Clagett, Cluster, Hubbard, Aumann, Lafferty, Frank, Rosenberg, Ivey, Glenn, Love, Stein, Vaughn, Haynes, Gutierrez, Carr, Cullison, Stukes, Bobo, Cardin, M. Washington, A. Kelly, Reznik, Kramer, Gilchrist, Frush, B. Robinson, Valderrama, Donoghue, Zucker, Weir, Conaway, Carter, Wilson, Glass, Oaks, Luedtke, S. Robinson, Mizeur, Niemann, Summers, A. Miller, Murphy, V. Turner, Nathan–Pulliam, Minnick, and Arora Arora, Holmes, Kaiser, Boteler, Smigiel, Braveboy, Hucker, and Lee

AN ACT concerning

~~Medical Marijuana – Academic Medical Centers~~
Medical Marijuana – Academic Medical Centers –
Natalie M. LaPrade Medical Marijuana Commission

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings and Senator Middleton, Chair, for the Committee on Finance reported favorably:

House Bill 1130 – Delegate Barnes

AN ACT concerning

Labor and Employment – Lien for Unpaid Wages – Establishment

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1220 – Delegates Swain, Carter, Valderrama, Valentino–Smith, and Vallario

AN ACT concerning

Invalidation and Destruction of Unexecuted Warrant, Summons, or Other Criminal Process – Failure to Appear Designation

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:

House Bill 1250 – Delegates Valderrama, Clippinger, and Valentino–Smith

AN ACT concerning

Crimes – Threat of Mass Violence

HB1250/898176/1

BY: Judicial Proceedings Committee

AMENDMENT TO HOUSE BILL 1250

(Third Reading File Bill)

On page 2, in line 21, after “COMMITTED;” insert “OR”; in line 23, strike the semicolon and substitute a period; and strike in their entirety lines 24 through 27, inclusive.

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:

House Bill 1408 – Delegates Cullison, Dumais, Gutierrez, Luedtke, Mitchell, Olszewski, Rosenberg, Swain, Valderrama, and Zucker

AN ACT concerning

Family Law – Criminal History Records Checks – Student Teachers

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #58**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

Senate Bill 896 – Senator Conway

AN ACT concerning

State Board of Pharmacy – Sterile Compounding – Permits

SB0896/464931/2

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 896

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, after “permit;” insert “providing that a person that prepares and distributes sterile drug products into or within the State is not required to hold a sterile compounding permit but must hold certain other permits; authorizing the Board to waive certain requirements in accordance with regulations adopted by the Board; establishing the requirements that must be met for a waiver to be issued; requiring the Board to post certain waivers on its Web site; requiring the Board to include certain information for each waiver posted on its Web site; providing for the duration, renewal, and rescission of a waiver;”; in line 14, after “Board” insert “, by regulation,”; strike beginning with “in” in line 14 down through “category” in line 16 and substitute “based on risk”; and in line 31, after “prohibiting” insert “, with a certain exception,”.

On page 2, in line 3, after “Board;” insert “prohibiting, with a certain exception, a person from distributing sterile drug products in the State unless the sterile drug products are produced in a facility that holds a certain permit;”; in line 5, after “holders;” insert “requiring a wholesale distributor applicant or permit holder that prepares sterile drug products to submit to the Board, at certain times, a report of a certain inspection;”; in line 7, after “violations;” insert “authorizing the Board to phase in the requirements of certain provisions of this Act, with full implementation on or before a certain date; requiring the Board to report to the Governor and the General Assembly on the implementation of certain provisions of this Act;”; and in line 13, after “Permits” insert “; and 12-6C-03.2”.

AMENDMENT NO. 2

On page 2, in line 26, strike “SECTION” and substitute “SUBTITLE”; in line 28, strike “**(1)**”; in line 29, strike “OR DEVICE” and substitute “ONLY”; in line 30, strike “**(I)**” and substitute “(1)”; in line 32, strike “/PHARMACIST”; and in line 33, strike “OR”.

On page 3, in line 1, strike “**(II)**” and substitute “(2)”; in line 3, strike the period and substitute “; OR”; strike beginning with “**(2)**” in line 4 down through “IN” in line 5 and substitute “(3) IN”; in lines 9 and 10, strike “**APPLICANTS OR PERMIT HOLDERS LOCATED OUTSIDE THE STATE**” and substitute “FACILITIES OR ENTITIES THAT”

PREPARE STERILE DRUG PRODUCTS"; in line 13, strike "STERILE WHEN ADMINISTERED TO PATIENTS" and substitute "PREPARED USING ASEPTIC TECHNIQUES"; in line 16, strike "PREPARATIONS ARE COMPOUNDED" and substitute "COMPOUNDING IS PERFORMED"; after line 16, insert:

"(F) "STERILE DRUG PRODUCT" MEANS A DRUG PRODUCT THAT:

(1) MUST BE PREPARED USING ASEPTIC TECHNIQUES; AND

(2) IS NOT REQUIRED TO BE PREPARED IN RESPONSE TO A PATIENT SPECIFIC PRESCRIPTION.";

and in line 17, strike "(F)" and substitute "(G)".

AMENDMENT NO. 3

On page 4, after line 3, insert:

"(F) A PERSON THAT PREPARES AND DISTRIBUTES STERILE DRUG PRODUCTS INTO OR WITHIN THE STATE:

(1) IS NOT REQUIRED TO HOLD A STERILE COMPOUNDING PERMIT UNDER SUBSECTION (A) OR (C) OF THIS SECTION; AND

(2) SHALL HOLD:

(i) A MANUFACTURER'S PERMIT OR OTHER PERMIT DESIGNATED BY THE U.S. FOOD AND DRUG ADMINISTRATION TO ENSURE THE SAFETY OF STERILE DRUG PRODUCTS; AND

(ii) A WHOLESALE DISTRIBUTOR'S PERMIT ISSUED BY THE BOARD UNDER SUBTITLE 6C OF THIS TITLE.

(G) (1) THE BOARD MAY WAIVE ANY REQUIREMENTS OF THIS SUBTITLE, INCLUDING THE REQUIREMENTS OF SUBSECTION (F) OF THIS SECTION, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.

(2) A WAIVER MAY BE ISSUED TO A STERILE COMPOUNDING FACILITY OR A PERSON DESCRIBED IN SUBSECTION (F) OF THIS SECTION ONLY:

(I) FOR SPECIFIED STERILE COMPOUNDED PREPARATIONS OR STERILE DRUG PRODUCTS FOR WHICH THERE IS A CLINICAL NEED, AS DETERMINED BY THE BOARD WITH INPUT FROM HEALTH CARE PROVIDERS IN THE STATE;

(II) IN EXIGENT CIRCUMSTANCES THAT, AS DETERMINED BY THE BOARD, OTHERWISE PREVENT HEALTH CARE PROVIDERS FROM OBTAINING, IN THE SIZE AND STRENGTH NEEDED, THE SPECIFIED STERILE COMPOUNDED PREPARATIONS OR STERILE DRUG PRODUCTS UNDER ITEM (I) OF THIS PARAGRAPH; AND

(III) IF THE STERILE COMPOUNDING FACILITY OR PERSON DESCRIBED IN SUBSECTION (F) OF THIS SECTION MEETS REQUIREMENTS ESTABLISHED BY THE BOARD, INCLUDING:

1. PROVISION OF:

A. REPORTS OF INSPECTIONS CONDUCTED BY A DESIGNEE OR THE U.S. FOOD AND DRUG ADMINISTRATION;

B. A STATEMENT OF COMPLIANCE WITH USP 797;
AND

C. A REVIEW OF ADVERSE REGULATORY ACTION;
AND

2. ANY OTHER REQUIREMENT AS DETERMINED BY THE BOARD.

(3) (I) THE BOARD SHALL POST ON ITS WEB SITE ANY WAIVER ISSUED UNDER THIS SUBSECTION.

(II) FOR EACH WAIVER POSTED ON ITS WEB SITE, THE BOARD SHALL INCLUDE:

1. THE NAME OF THE STERILE COMPOUNDING FACILITY OR OTHER PERSON RECEIVING THE WAIVER;

2. THE STERILE COMPOUNDED PREPARATION OR STERILE DRUG PRODUCT FOR WHICH THE WAIVER IS ISSUED;

3. THE BASIS FOR ISSUING THE WAIVER;

4. THE DURATION OF THE WAIVER; AND

5. ANY OTHER INFORMATION RELATING TO THE WAIVER OR LIMITATIONS ON THE WAIVER DETERMINED APPROPRIATE BY THE BOARD.

(4) ANY WAIVER ISSUED BY THE BOARD:

(I) MAY NOT EXCEED 2 YEARS IN DURATION;

(II) MAY BE RENEWED BY THE BOARD; AND

(III) MAY BE RESCINDED BY THE BOARD IF THE BOARD FINDS THAT ANY REQUIREMENTS OF THIS SUBTITLE ARE NOT MET.

(5) (I) THE BOARD SHALL INCLUDE IN THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS SUBSECTION REQUIREMENTS FOR DOCUMENTING, IN A RECORD ACCEPTABLE TO THE BOARD, THE ADMINISTRATION TO A PATIENT OF A STERILE COMPOUNDED PREPARATION OR STERILE DRUG PRODUCT OBTAINED UNDER A WAIVER ISSUED UNDER THIS SUBSECTION.

(II) THE REQUIREMENTS SHALL INCLUDE:

1. DOCUMENTATION OF THE LOT NUMBER OR OTHER MECHANISM FOR IDENTIFYING THE STERILE COMPOUNDED PREPARATION OR STERILE DRUG PRODUCT FOR THE PURPOSE OF TRACKING THE STERILE COMPOUNDED PREPARATION OR STERILE DRUG PRODUCT BACK TO THE STERILE COMPOUNDING FACILITY OR OTHER PERSON THAT PREPARED IT; OR

2. IF DOCUMENTATION OF THE LOT NUMBER OR OTHER IDENTIFICATION MECHANISM IS NOT FEASIBLE, DOCUMENTATION OF THE SOURCE OF THE STERILE COMPOUNDED PREPARATION OR STERILE DRUG PRODUCT FOR THE PURPOSE OF TRACKING THE STERILE COMPOUNDED PREPARATION OR STERILE DRUG PRODUCT BACK TO THE STERILE COMPOUNDING FACILITY OR OTHER PERSON THAT PREPARED IT.”.

AMENDMENT NO. 4

On page 4, strike beginning with the colon in line 8 down through “FACILITY” in line 17 and substitute “ESTABLISH, BY REGULATION, REQUIREMENTS FOR APPLICANTS BASED ON RISK”.

On page 5, in lines 6 and 7, strike “THE SECOND ANNIVERSARY” and substitute “MAY 31 OF THE NEXT EVEN-NUMBERED YEAR”; in line 8, strike “AN ADDITIONAL” and substitute “A”; strike beginning with the colon in line 16 down through “A” in line 17 and substitute “A”; and strike beginning with the semicolon in line 18 down through “PERMIT” in line 20.

On page 6, in lines 4 and 5, strike “, FOR EACH STERILE COMPOUNDING PERMIT CATEGORY”; strike beginning with the colon in line 21 down through “REQUIRED” in line 24 and substitute “WITH A FREQUENCY BASED ON RISK AS SET FORTH IN REGULATIONS ADOPTED”; in line 26, after “INCLUDE” insert a comma; in the same line, strike “PARAGRAPH” and substitute “ITEM”; and in line 27, strike “MICROBIAL” and substitute “A REVIEW IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD, OF:

(I) QUALITY ASSURANCE TESTING REPORTS; AND

(II) MICROBIAL”.

AMENDMENT NO. 5

On page 8, in line 31, after “SUBTITLE” insert “OR ANY REGULATION ADOPTED UNDER THIS SUBTITLE”.

On page 9, in line 21, strike “A” and substitute “(A) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A”; and after line 25, insert:

“(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PERSON MAY NOT DISTRIBUTE STERILE DRUG PRODUCTS IN THE STATE UNLESS THE STERILE DRUG PRODUCTS ARE PRODUCED IN A FACILITY THAT HOLDS A MANUFACTURER’S PERMIT OR OTHER PERMIT DESIGNATED BY THE U.S. FOOD AND DRUG ADMINISTRATION TO ENSURE THE SAFETY OF STERILE DRUG PRODUCTS.

(C) A PERSON MAY DISPENSE OR DISTRIBUTE STERILE COMPOUNDED PREPARATIONS OR STERILE DRUG PRODUCTS IN THE STATE WITHOUT MEETING THE REQUIREMENTS OF SUBSECTION (A) OR (B) OF THIS SECTION ONLY IN ACCORDANCE WITH A WAIVER ISSUED BY THE BOARD UNDER § 12-4A-02 OF THIS SUBTITLE.”

AMENDMENT NO. 6

On page 10, after line 3, insert:

“12-6C-03.2.

(A) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, A WHOLESALE DISTRIBUTOR APPLICANT OR PERMIT HOLDER THAT PREPARES STERILE DRUG PRODUCTS SHALL SUBMIT TO THE BOARD A REPORT OF AN INSPECTION CONDUCTED BY THE U.S. FOOD AND DRUG ADMINISTRATION OR A BOARD DESIGNEE:

- (1) AT THE TIME OF APPLICATION; AND
- (2) ON RENEWAL.

(B) THE INSPECTION REPORT REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE:

(1) CONDUCTED WITHIN 1 YEAR BEFORE THE DATE OF APPLICATION OR RENEWAL; AND

(2) DEMONSTRATE COMPLIANCE WITH APPLICABLE FEDERAL GOOD MANUFACTURING PRACTICE STANDARDS OR USP 797, AS DEFINED IN § 12-4A-01 OF THIS TITLE.

(C) AN APPLICANT OR PERMIT HOLDER IS RESPONSIBLE FOR OBTAINING AN INSPECTION TO MEET THE REQUIREMENTS OF THIS SECTION.”.

AMENDMENT NO. 7

On page 11, after line 13, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Pharmacy may phase in the requirements of Title 12, Subtitle 4A of the Health Occupations Article, as enacted by Section 1 of this Act, with full implementation to be completed on or before April 1, 2014.

SECTION 3. AND BE IT FURTHER ENACTED, That on or before January 1, 2014 the State Board of Pharmacy shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly on the implementation of Title 12, Subtitle 4A of the Health Occupations Article, as enacted by Section 1 of this Act.”;

in line 14, strike “2.” and substitute “4.”; and in line 15, strike “October” and substitute “July”.

The preceding 7 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:

House Bill 207 – Delegates Luedtke, Ivey, Kaiser, Myers, and A. Washington

AN ACT concerning

Education – Chronically Absent Students

HB0207/684837/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 207
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Chronically Absent” and substitute “Truant”; and in lines 4 and 6, in each instance, strike “chronically absent” and substitute “truant”.

AMENDMENT NO. 2

On page 1, in line 18, strike “CHRONICALLY ABSENT” and substitute “TRUANT”.

On page 2, in line 1, after “IS” insert “UNLAWFULLY”; strike beginning with “WITHIN” in line 10 down through “13A.08.01.04” in line 11 and substitute “AS DEFINED BY REGULATION”; in line 13, strike “CHRONICALLY ABSENT” and substitute “TRUANT”; and in line 30, strike “CHRONICALLY ABSENT” and substitute “TRUANT”.

On page 3, in line 9, strike “BUT WHO IS NOT A CHRONICALLY ABSENT STUDENT” and substitute “FOR BOTH LAWFUL AND UNLAWFUL PURPOSES, BUT IS NOT A TRUANT STUDENT”.

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:

House Bill 453 – Delegates Walker, Bohanan, Branch, DeBoy, Dumais, Glenn, Guzzone, Haddaway–Riccio, Howard, Ivey, Kaiser, Luedtke, McDonough, Niemann, O’Donnell, Summers, Tarrant, Valderrama, Vaughn, A. Washington, Wilson, and Zucker

AN ACT concerning

Education – Maryland Center for School Safety

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:

House Bill 935 – Delegates Stifler and Kaiser

AN ACT concerning

Public Institutions of Higher Education – In-State Tuition for Military Veterans

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:

House Bill 963 – Delegates Cullison, Barkley, Barve, Bromwell, Clippinger, DeBoy, Donoghue, Gutierrez, Hucker, Ivey, Kaiser, A. Kelly, Kipke, Krebs, Lafferty, Luedtke, McDermott, McIntosh, Olszewski, Reznik, F. Turner, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

~~Edward T. Conroy~~ **Jean B. Cryor Memorial Scholarship – Eligibility Creation**

HB0963/104237/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 963

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in its entirety line 2 and substitute “Edward T. Conroy and Jean B. Cryor Memorial Scholarship Programs”; in line 11, strike “authorizing” and substitute “requiring”; in line 17, after “study;” insert “making certain conforming changes to the Edward T. Conroy Memorial Scholarship Program; establishing a certain scholarship fund; providing that the fund is a special, nonlapsing fund that is”

not subject to certain provisions of law; requiring the State Treasurer to hold the fund and the Comptroller to account for the fund;”; in line 19, strike “certain terms” and substitute “a certain term”; and strike in its entirety line 20 and substitute “memorial scholarship programs.”.

On page 2, strike in their entirety lines 5 through 10, inclusive, and substitute:

“BY repealing and reenacting, with amendments,

Article – Education

Section 18–601 to be under the amended subtitle “Subtitle 6. Scholarships for Military and Public Safety Personnel and Their Dependents and the Dependents of Certain School Employees”

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)”.”.

AMENDMENT NO. 2

On pages 6 through 8, strike in their entirety the lines beginning with line 12 on page 6 through line 29 on page 8, inclusive, and substitute:

“Subtitle 6. Scholarships for Military and Public Safety Personnel and Their [Children] **DEPENDENTS AND THE DEPENDENTS OF CERTAIN SCHOOL EMPLOYEES.**

18–601.

(a) (1) In this section the following words have the meanings indicated.

(2) “Disabled public safety employee” means a State or local public safety employee who sustains an injury in the line of duty that:

(i) Precludes the individual from continuing to serve or be employed as a State or local public safety employee; and

(ii) In the case of a volunteer member of a fire department or ambulance or rescue company or squad, precludes the member from continuing to be employed in the nonpublic safety occupation in which the member is engaged at the time of the injury.

(3) “SCHOOL EMPLOYEE” INCLUDES AN EMPLOYEE OF A PUBLIC OR NONPUBLIC SCHOOL IN THE STATE.

[(3)] (4) “Surviving spouse” means a person who has not remarried.

[(4)] (5) “State or local public safety employee” means a person who is:

(i) A career or volunteer member of a:

1. Fire department;

2. Ambulance company or squad; or

3. Rescue company or squad;

(ii) A law enforcement officer;

(iii) A correctional officer; or

(iv) A member of the Maryland National Guard who was a resident of this State at the time of death.

[(5)] (6) “Victim of the September 11, 2001, terrorist attacks” means a Maryland resident who was killed as a result of the attacks on the World Trade Center in New York City, the attack on the Pentagon in Virginia, or the crash of United Airlines Flight 93 in Pennsylvania.

(b) There is a program of scholarships that are awarded by eligible postsecondary institutions under this section.

(c) (1) The [Program] PROGRAM FOR MILITARY AND PUBLIC SAFETY PERSONNEL AND THEIR ELIGIBLE DEPENDENTS is the Edward T. Conroy Memorial Scholarship Program.

(2) THE PROGRAM FOR ELIGIBLE DEPENDENTS OF PUBLIC AND NONPUBLIC SCHOOL EMPLOYEES IS THE JEAN B. CRYOR MEMORIAL SCHOLARSHIP PROGRAM.

(d) A person may apply to an eligible postsecondary institution for a scholarship under this section if the person:

(1) (i) Is a resident of Maryland at the time of application; or

(ii) Was a resident of Maryland when an event described in paragraph (3) of this subsection occurred;

(2) (i) Is accepted for admission or enrolled in the regular undergraduate, graduate or professional program at an eligible institution; or

(ii) Is enrolled in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution; and

(3) (i) Is at least 16 years old and a son or daughter of a member of the armed forces who:

1. Died as a result of military service after December 7, 1941;

2. Suffered a service connected 100% permanent disability after December 7, 1941; or

3. Was declared to be a prisoner of war or missing in action, if that occurred on or after January 1, 1960, as a result of the Vietnam conflict, and if the child was born prior to or while the parent was a prisoner of war or missing in action;

(ii) Was a prisoner of war or missing in action, if that occurred on or after January 1, 1960, as a result of the Vietnam conflict and was a resident of this State at the time the person was declared to be a prisoner of war or missing in action;

(iii) 1. Is at least 16 years old and a son or daughter of any State or local public safety employee killed in the line of duty; or

2. Is the surviving spouse of any State or local public safety employee killed in the line of duty;

(iv) 1. Is a disabled public safety employee;

2. Is at least 16 years old and a son or daughter of a disabled public safety employee who sustains an injury in the line of duty that renders the public safety employee 100% disabled; or

3. Is the surviving spouse of a disabled public safety employee who sustains an injury in the line of duty that renders the public safety employee 100% disabled;

(v) Is a veteran, as defined under § 9-901 of the State Government Article, who:

1. Suffers a service connected disability of 25% or greater; and

2. Has exhausted or is no longer eligible for federal veterans' educational benefits;

(vi) Is the surviving spouse of a member of the armed forces who suffered a service connected 100% permanent disability; [or]

(vii) Is at least 16 years old and a son or daughter of or the surviving spouse of a victim of the September 11, 2001, terrorist attacks;

(VIII) IS AT LEAST 16 YEARS OLD AND A SON OR DAUGHTER OF A SCHOOL EMPLOYEE WHO, AS A RESULT OF AN ACT OF VIOLENCE:

1. DIED IN THE LINE OF DUTY; OR

2. SUSTAINED AN INJURY IN THE LINE OF DUTY THAT RENDERED THE SCHOOL EMPLOYEE 100% DISABLED; OR

(IX) IS THE SURVIVING SPOUSE OF A SCHOOL EMPLOYEE WHO, AS A RESULT OF AN ACT OF VIOLENCE:

1. DIED IN THE LINE OF DUTY; OR

2. SUSTAINED AN INJURY IN THE LINE OF DUTY THAT RENDERED THE SCHOOL EMPLOYEE 100% DISABLED.

(e) A scholarship awarded under this section:

(1) May be used for the tuition and mandatory fees at any eligible institution; and

(2) May not:

(i) Exceed the equivalent annual tuition and mandatory fees of a resident undergraduate student at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore, with the highest annual expenses for a full-time resident undergraduate; and

(ii) Be less than the lesser of:

1. \$3,000; or

2. The equivalent annual tuition and mandatory fees of a resident of the institution attended by the recipient of the scholarship.

(f) (1) Each postsecondary institution shall determine the eligibility of persons who apply to the institution for the Edward T. Conroy Memorial Scholarship Program AND THE JEAN B. CRYOR MEMORIAL SCHOLARSHIP PROGRAM.

(2) Funds for the Edward T. Conroy Memorial Scholarship Program AND THE JEAN B. CRYOR MEMORIAL SCHOLARSHIP PROGRAM shall be allocated by the Commission to each postsecondary institution based on the number of eligible recipients attending each institution.

(3) In October and February of each year, each postsecondary institution shall report to the Commission the number of eligible recipients attending the institution.

(4) The Commission shall allocate funds for awards to postsecondary institutions upon verification of eligible recipients attending the institutions.

(5) If funds cannot be allocated in the fiscal year in which awards are made, priority shall be given to allocating funds for those awards in the following fiscal year.

(g) (1) Each recipient of a scholarship under this section may hold the award for 5 years of full-time study or 8 years of part-time study.

(2) The number of eligible recipients under subsection (d)(3)(v) of this section shall be limited to 15 each year.

(3) An award provided under subsection (d)(3)(vi) of this section may not exceed the amount specified in subsection (e)(2) of this section when combined with any other scholarship received by a student based on the student's status as a child or spouse of a victim of the September 11, 2001, terrorist attacks.

(h) (1) **THERE IS AN EDWARD T. CONROY AND JEAN B. CRYOR SCHOLARSHIP FUND.**

(2) **THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

(3) **THE STATE TREASURER SHALL HOLD THE FUND AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

(4) The Commission:

[(1)] (I) May accept any gift or grant from any person for the [Edward T. Conroy Scholarship Fund] FUND;

[(2)] (II) Shall use any gift or grant that it receives for a scholarship from the [Program] PROGRAMS; and

[(3)] (III) Shall deposit any gift or grant that it receives for the [Program] PROGRAMS with the State Treasurer [in a nonbudgeted account].”

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 with amendments:

House Bill 1161 – Delegates A. Washington, Afzali, Branch, Clippinger, George, Hixson, Howard, Ivey, Kaiser, Luedtke, McConkey, A. Miller, Summers, Waldstreicher, and Walker Walker, Barve, Boteler, Cardin, Fisher, Frick, Harper, Myers, Serafini, Stukes, and F. Turner

AN ACT concerning

Commission on Special Education Access and Equity

HB1161/314437/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1161

(Third Reading File Bill)

On page 3, in line 3, strike “and”; and in line 4, strike “Council” and substitute “Coalition; and

(xv) two representatives who are public school employees who work with and are familiar with the Individualized Education Plan process”.

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:

House Bill 1393 – Delegates O’Donnell and Serafini, Serafini, Barve, Boteler, Branch, Cardin, Dwyer, Frick, George, Harper, Hixson, Howard, Ivey, Kaiser, Luedtke, A. Miller, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Public Schools – Student Work Product – Claim of Copyright Prohibited

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #59**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 978 – Delegate Barkley

AN ACT concerning

Alcoholic Beverages – Winery Off-Site Permit and Wine Festival Permit

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:

House Bill 1074 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Hours of Sale for Golf Course
Licenses
PG 318–13**

HB1074/204637/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1074
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Sale” insert “and Fee”; in lines 5 and 6, in each instance, strike “and wine” and substitute “, wine, and liquor”; and in line 7, after

“County;” insert “increasing the fee for a special 7-day Class B-GC on-sale beer, wine, and liquor license;”.

AMENDMENT NO. 2

On page 2, in lines 6, 8, 9, 12, 16, 19, and 21, in each instance, strike “and wine” and substitute “, WINE, AND LIQUOR”; in lines 23 and 24, strike “and wine” and substitute “, WINE, AND LIQUOR”; and in line 24, strike “\$365” and substitute “\$500”.

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:

House Bill 1081 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – Entertainment Permit –
~~Exemption for~~ Class BH Licensees
PG 301-13**

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:

House Bill 1082 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages – ~~Class BCE and~~ Class B-AE
Licenses
PG 317-13**

HB1082/104032/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1082

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, before “Class” insert “Class A Licenses and”; in line 7, after “County;” insert “prohibiting the Board of License Commissioners of Prince George’s County from issuing a new Class A license or transferring an existing Class A license to a location within a certain distance of a correctional facility;”; and after line 18, insert:

“BY adding to

Article 2B – Alcoholic Beverages

Section 9–217(e–1)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,

Article – Correctional Services

Section 1–101(d)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 4, after line 6, insert:

“(E–1) THE BOARD OF LICENSE COMMISSIONERS MAY NOT ISSUE A NEW CLASS A LICENSE FOR OR TRANSFER AN EXISTING CLASS A LICENSE TO A LOCATION WITHIN THREE–FOURTHS OF A MILE OF A CORRECTIONAL FACILITY, AS DEFINED IN § 1–101 OF THE CORRECTIONAL SERVICES ARTICLE, IN UPPER MARLBORO.

Article – Correctional Services

1–101.

(d) “Correctional facility” means a facility that is operated for the purpose of detaining or confining adults who are charged with or found guilty of a crime.”.

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 with amendments:

House Bill 1292 – Delegates O’Donnell, Fisher, Proctor, and Vallario

AN ACT concerning

Calvert County – Alcoholic Beverages Licenses – Retirement Communities

HB1292/754432/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1292

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– Retirement Communities” and substitute “and Appeals”; in line 7, after “fee;” insert “authorizing a court to remand certain proceedings to the local licensing board of Calvert County;”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 16–101(e)(4)(ii)

Annotated Code of Maryland

(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 16, insert:

“16–101.

(e) (4) (ii) In addition to the other powers of the court provided in this article, the court may remand the proceedings to the local licensing board in the following jurisdictions:

1. Anne Arundel County;

2. Baltimore City;
3. CALVERT COUNTY;
- [3.] 4. Carroll County;
- [4.] 5. Charles County;
- [5.] 6. Frederick County;
- [6.] 7. Harford County;
- [7.] 8. Howard County;
- [8.] 9. Montgomery County;
- [9.] 10. Prince George’s County; and
- [10.] 11. St. Mary’s County.

SECTION 2. AND BE IT FURTHER ENACTED, That § 16–101(e)(4)(ii)3 of Article 2B, as enacted by Section 1 of this Act, may not be applied to any case for which a final judgment has been rendered and for which all judicial appeals have been exhausted before the effective date of this Act.”;

in line 17, strike “2.” and substitute “3.”; and in line 18, strike “July” and substitute “June”.

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:

**House Bill 1305 – ~~Delegates McMillan and George~~ Anne Arundel County
Delegation**

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Residency Requirement

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #60**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably:

House Bill 56 – Delegates ~~Smigiel and Dumais~~, Dumais, Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, and Reznik

AN ACT concerning

~~Professional Counselors and Therapists – Qualifications, Surrender of
Licenses and Certificates, and Disciplinary Actions~~
**State Board of Professional Counselors and Therapists – Criminal History
Records Checks**

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:

House Bill 365 – Delegate Glass

AN ACT concerning

Harford County – Archery Hunting – Safety Zone

HB0365/464235/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 365
(Third Reading File Bill)

On page 2, in line 3, after “(2)” insert “**(I)**”; in the same line, strike the comma and substitute “or”; in line 4, strike “**OR HARFORD COUNTY,**”; and after line 6, insert:

“(II) FOR ARCHERY HUNTERS IN HARFORD COUNTY, THE SAFETY ZONE DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION EXTENDS FOR 100 YARDS FROM A DWELLING HOUSE, RESIDENCE, CHURCH, OR ANY OTHER BUILDING OR CAMP OCCUPIED BY HUMAN BEINGS.”

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:

House Bill 409 – Delegates McIntosh, Bobo, Frush, Healey, Hubbard, Lafferty, Pendergrass, Sophocleus, and Stein

AN ACT concerning

**Land Use – ~~Local Governments~~ – Comprehensive Planning and Zoning ~~Cycles~~
Cycle**

HB0409/694938/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 409

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “requiring” in line 7 down through “circumstances;” in line 8; and in line 10, after “circumstances;” insert “providing for a certain construction of this Act; requiring a local jurisdiction to comply with certain provisions of law concerning growth tiers except under certain circumstances;”.

AMENDMENT NO. 2

On page 4, in line 2, strike “ZONING AND ORDINANCES” and substitute “COMPREHENSIVE REZONING”; in line 4, after “ANY” insert “SIGNIFICANT”; in line

5, strike “OR”; in the same line, after the second “PROGRAMS” insert “, OR STATE REQUIREMENTS”; strike beginning with “SMART” in line 9 down through “IN” in line 10 and substitute “IMPLEMENTATION OF”; and in line 13, strike “SCHEDULED, PLANNED, AND” and substitute “A SUMMARY OF ANY”.

AMENDMENT NO. 3

On page 7, in line 2, strike “Notwithstanding” and substitute “If a local jurisdiction chooses to adopt growth tiers under Title 1, Subtitle 5 of the Land Use Article, and notwithstanding”; in line 4, strike “under Title 1, Subtitle 5 of the Land Use Article”; in line 8, after “jurisdiction” insert “adopts a growth tier but”; in the same line, strike “all of”; in the same line, strike “tiers” and substitute “tier”; strike beginning with “section” in line 9 down through “and” in line 11; in line 12, strike “(2) the growth tiers” and substitute “section, the growth tier”; and after line 13, insert:

“(c) This Act may not be construed as requiring a local jurisdiction to adopt, amend, or repeal growth tiers under Title 1, Subtitle 5 of the Land Use Article.

(d) Except as provided in subsection (a) of this section, a local jurisdiction shall comply with Title 1, Subtitle 5 of the Land Use Article when adopting growth tiers.”.

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:

House Bill 775 – Delegates Lafferty, Barve, Bobo, Carr, Costa, Frush, Guzzone, Healey, Hubbard, Hucker, Mizeur, Nathan–Pulliam, Pena–Melnyk, S. Robinson, and Schuh

AN ACT concerning

Maryland Pesticide Reporting and Information ~~Act~~ Workgroup

HB0775/944731/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 775
(Third Reading File Bill)

AMENDMENT NO. 1

On page 15, after line 10, insert:

“(vi) one representative from the pesticide manufacturing industry;”;

in lines 11 and 12, strike “(vi)” and “(vii)”, respectively, and substitute “(vii)” and “(viii)”, respectively; after line 12, insert:

“(ix) one public health and toxicology expert;”;

and in lines 13 and 14, strike “(viii)” and “(ix)”, respectively, and substitute “(x)” and “(xi)”, respectively.

AMENDMENT NO. 2

On page 15, after line 25, insert:

“(2) determine the need for a data reporting program;”;

and in line 26, strike “(2)” and substitute “(3)”.

On page 16, in lines 1, 3, 5, 7, 9, 11, and 13, strike “(3)”, “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, and “(9)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, “(8)”, “(9)”, and “(13)”, respectively; in line 12, strike “and”; and after line 12, insert:

“(10) study the current federal process to approve a pesticide for use;

(11) conduct a cost–benefit analysis of:

(i) implementing and maintaining a data reporting program;

and

(ii) any recommendations that will have an economic impact on

the State;

(12) study the impacts of using organic pesticides on farms; and”.

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 with amendments:

House Bill 806 – Delegate Hubbard

AN ACT concerning

Health Occupations – State Board of Social Work Examiners – Revisions

HB0806/314931/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 806

(Third Reading File Bill)

On page 9, in line 27, strike “MASTER’S DEGREE”; in line 28, after “Education” insert “, WITH A MINIMUM OF 6 OF THE 12 ACADEMIC CREDITS OBTAINED IN A MASTER’S DEGREE PROGRAM”.

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 and Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1115 – Delegates Cullison, Costa, Elliott, Kach, A. Kelly, Krebs, Oaks, and Reznik

AN ACT concerning

Health Occupations Boards – License Renewal, Investigation of Alleged Violations, and Immunity from Liability

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:

House Bill 1279 – Delegates Niemann, Bobo, Carr, Carter, Frush, Glenn, and Hubbard

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

HB1279/164033/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1279

(Third Reading File Bill)

On page 1, in line 13, after “reference;” insert “defining a certain term;”.

On page 2, in line 3, after “(a)” insert “**(1)**”; in the same line, strike the comma and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

(2)”;

and after line 4, insert:

“(3) “HISTORIC PROPERTY” MEANS A QUALIFIED HISTORIC BUILDING OR FACILITY THAT IS:

(I) LISTED OR ELIGIBLE FOR LISTING IN THE NATIONAL REGISTER OF HISTORIC PLACES; OR

(II) DESIGNATED AS HISTORIC UNDER STATE OR LOCAL LAW.”.

On page 3, in line 28, after “**THAT**” insert “**:**”

(I)”;

and in line 29, after “CODE” insert “; **BUT**

(II) IS NOT A HISTORIC PROPERTY”.

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 JUDICIAL PROCEEDINGS REPORT #30

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably with amendments:

Senate Bill 886 – Senator Stone

AN ACT concerning

Vehicle Laws – Manufacturers, Distributors, and Factory Branches – Compensation of Dealers

SB0886/708677/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 886

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Compensation of” and substitute “Relationship with”; in line 4, after “of” insert “prohibiting, except under certain circumstances, a manufacturer, distributor, or factory branch from requiring, attempting to require, coercing, or attempting to coerce a dealer to purchase certain goods or services from certain vendors under certain circumstances; providing for the construction of a certain prohibition under this Act; repealing a requirement that certain factors be considered in determining whether a dealer has been reasonably compensated;”; strike beginning with “requiring” in line 11 down through “Act;” in line 13; in line 19, strike “a” and substitute “certain”; strike beginning with “prohibiting” in line 24 down through “costs;” in line 25; in lines 25 and 26, strike “or threatening to take”; strike

beginning with “prohibiting” in line 27 down through “programs;” in line 28; in line 29, after “work;” insert “altering a certain provision relating to denial of a dealer’s claim to prohibit a manufacturer from basing a denial on certain technical or administrative errors under certain circumstances; repealing the authority of the Motor Vehicle Administrator to require a certain licensee to pay a certain fine for certain violations relating to the compensation of dealers;”; in line 30, strike “compensation of” and substitute “relationships between”; in the same line, strike “by” and substitute “and motor vehicle”; and after line 31, insert:

“BY adding to

Article – Transportation
Section 15–207(k)
Annotated Code of Maryland
(2012 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“15–207.

(K) (1) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, AND EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, A MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH MAY NOT, DIRECTLY OR THROUGH AN AGENT, AN EMPLOYEE, AN AFFILIATE, OR A REPRESENTATIVE, REQUIRE, ATTEMPT TO REQUIRE, COERCE, OR ATTEMPT TO COERCE BY AGREEMENT, PROGRAM, INCENTIVE PROVISION, OR OTHERWISE, A DEALER TO PURCHASE GOODS OR SERVICES FOR THE CONSTRUCTION, RENOVATION, OR MODIFICATION OF A FACILITY FROM A VENDOR DESIGNATED BY THE MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH.

(II) A MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH MAY OFFER A DEALER THE OPTION TO OBTAIN GOODS OR SERVICES UNDER THIS SUBSECTION OF SUBSTANTIALLY SIMILAR QUALITY AND DESIGN FROM A VENDOR CHOSEN BY THE DEALER SUBJECT TO APPROVAL BY THE MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH.

(2) A MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH MAY NOT UNREASONABLY WITHHOLD THE APPROVAL REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(3) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO ALLOW A DEALER OR VENDOR TO:

(I) DIRECTLY OR INDIRECTLY ELIMINATE OR IMPAIR IN ANY WAY A MANUFACTURER'S INTELLECTUAL PROPERTY RIGHTS OR REASONABLE BUSINESS REQUIREMENTS; OR

(II) ERECT OR MAINTAIN SIGNS THAT DO NOT CONFORM TO THE INTELLECTUAL PROPERTY USAGE GUIDELINES OF THE MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH.

(4) THIS SUBSECTION DOES NOT APPLY IF A MANUFACTURER, DISTRIBUTOR, OR FACTORY BRANCH PROVIDES A CREDIT OR STIPEND FOR, OR OTHER REIMBURSEMENT OF, A SUBSTANTIAL PORTION OF THE COST OF THE GOODS OR SERVICES OBTAINED UNDER THIS SECTION UNDER AN AGREEMENT MADE BEFORE THE BEGINNING OF CONSTRUCTION, RENOVATION, OR MODIFICATION OF THE FACILITY.”.

AMENDMENT NO. 3

On page 3, strike beginning with “The” in line 7 down through “(2)” in line 21; in line 23, after “FOR” insert “WARRANTY”; in line 24, strike “WARRANTY”; and in line 31, strike “(3)” and substitute “(2)”.

AMENDMENT NO. 4

On page 4, in lines 2 and 6, in each instance, strike “SIMILAR”; in lines 3 and 6, in each instance, after “REPAIRS” insert “OF A LIKE KIND”; in lines 7 and 30, strike “(4)” and “(5)”, respectively, and substitute “(3)” and “(4)”, respectively; in lines 7 and 32, in each instance, strike “(3)” and substitute “(2)”; in line 14, strike “60” and substitute “90”; in lines 18 and 19, strike “AVERAGE LABOR RATE” and substitute “ARITHMETIC MEAN OF LABOR RATES AS REFLECTED IN QUALIFYING REPAIR ORDERS”; in line 20, strike “AGGREGATE” and substitute “ARITHMETIC MEAN OF THE”; strike beginning with “A” in line 22 down through “(IV)” in line 25; and in line 26, strike “6 MONTHS” and substitute “1 YEAR”.

AMENDMENT NO. 5

On page 5, in line 3, after “EVENTS” insert “, PROMOTIONS, OR SERVICE CAMPAIGNS”; in line 8, strike beginning with “AT” through “AGENCIES,” and substitute “FOR”; in line 16, after “RECONDITIONING;” insert “OR”; strike beginning with the semicolon in line 17 down through “VEHICLE” in line 21; in lines 22 and 28, strike “(6)” and “(7)”, respectively, and substitute “(5)” and “(6)”, respectively; in line 29, strike “(4)” and substitute “(3)”; and in the same line, strike the comma.

AMENDMENT NO. 6

On page 6, in line 1, strike “FAIR,”; strike beginning with the second comma in line 1 down through “OR” in line 5 and substitute “.

(II) THE LICENSEE SHALL APPROVE OR REBUT THE DEALER’S SUBMISSION WITHIN 30 DAYS OF RECEIPT.

(III) IF THE LICENSEE APPROVES A DEALER’S SUBMISSION, THE LICENSEE SHALL BEGIN COMPENSATING THE DEALER UNDER THE SCHEDULE WITHIN 30 DAYS FOLLOWING APPROVAL.”;

in lines 6, 9, 12, and 17, strike “2.”, “(II)”, “(III)”, and “(IV)”, respectively, and substitute “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively; in line 7, after “LICENSEE,” insert “THE SCHEDULE OF COMPENSATION SUBMITTED BY THE DEALER SHALL GO INTO EFFECT”; in line 10, strike “BE” and substitute “:

1. BE”;

in line 11, after “SCHEDULE” insert “;AND

2. CONSIST OF REASONABLY SUBSTANTIATING EVIDENCE THAT THE DECLARED RATE IS MATERIALLY INACCURATE OR UNREASONABLE IN LIGHT OF THE PRACTICES OF ALL OTHER SAME LINE-MAKE DEALERS IN THE CITY OR COMMUNITY OR IN AN ECONOMICALLY SIMILAR AREA OF THE STATE IF NO OTHER SAME LINE-MAKE DEALERS EXIST IN THE CITY OR COMMUNITY”;

in line 16, after “RESOLUTION” insert “UNLESS OTHERWISE PROVIDED FOR IN THE AGREEMENT OR BY THE FINDER OF FACT”; in line 19, strike “(4)” and substitute “(3)”; in line 20, strike “ISSUE” and substitute “ISSUES”; in the same line, strike the second “THE” and substitute “:

A. THE;

in line 22, after “INACCURATE” insert “;AND

B. THE DECLARED RATE IS UNREASONABLE IN LIGHT OF THE PRACTICES OF ALL OTHER SAME LINE-MAKE DEALERS IN THE CITY OR COMMUNITY OR IN AN ECONOMICALLY SIMILAR AREA OF THE STATE IF NO OTHER SAME LINE-MAKE DEALERS EXIST IN THE CITY OR COMMUNITY;

after line 25, insert:

“(VII) 1. A LICENSEE MAY VERIFY ONCE A YEAR THAT A DEALER’S EFFECTIVE RATES HAVE NOT DECREASED.

2. IF A LICENSEE FINDS THAT A DEALER’S EFFECTIVE RATES HAVE DECREASED, THE LICENSEE MAY REDUCE THE WARRANTY REIMBURSEMENT RATE PROSPECTIVELY.”;

in line 26, strike “(8)” and substitute “(7)”; in line 27, strike “CALCULATE” and substitute “DIRECTLY OR INDIRECTLY CALCULATE”; and in line 28, after “PERCENTAGE” insert “ON A WARRANTY REIMBURSEMENT RATE SUBMISSION BY THE LICENSEE’S DEALER UNDER THIS SECTION”.

AMENDMENT NO. 7

On page 7, strike beginning with “OTHER” in line 2 down through “STATEMENTS” in line 3 and substitute “THE DEALER’S OR OTHER DEALERS’ WARRANTY COMPENSATION”; strike beginning with “PRE-DELIVERY” in line 5 down through “APPLICATIONS” in line 8 and substitute “WARRANTY FULFILLMENT”; in line 9, after “DEALER” insert “UNLESS THE PART IS USED FOR SPECIFIC, LIMITED REPAIR SITUATIONS”; strike beginning with “RECOVER” in line 13 down through “(V)” in line 16; in line 16, strike “OR THREATEN TO TAKE”; strike

beginning with “OR” in line 17 down through the comma in line 18; and in line 22, after “SUBTITLE;” insert “OR”.

AMENDMENT NO. 8

On pages 7 and 8, strike beginning with the semicolon in line 24 on page 7 down through “SUBTITLE” in line 3 on page 8 and substitute “;

(V) CONDUCT ANY WARRANTY OR RETAIL CUSTOMER REPAIR AUDIT, OR OTHER SERVICE-RELATED AUDIT, SOLELY BECAUSE THE DEALER MAKES A REQUEST FOR WARRANTY REIMBURSEMENT AT RETAIL RATES IN THE ORDINARY COURSE OF BUSINESS; OR

(VI) ESTABLISH, IMPLEMENT, ENFORCE, OR APPLY ANY POLICY, STANDARD, RULE, PROGRAM, OR INCENTIVE REGARDING THE COMPENSATION DUE UNDER THIS SECTION OTHER THAN IN A UNIFORM MANNER AMONG THE LICENSEE’S DEALERS IN THE STATE”.

AMENDMENT NO. 9

On page 8, in lines 4, 8, 17, and 21, strike “(9)”, “(10)”, “(11)”, and “(12)”, respectively, and substitute “(8)”, “(9)”, “(10)”, and “(11)”, respectively; in lines 4 and 5 strike “(2)” and “(8)”, respectively, and substitute “(1)” and “(7)”, respectively; strike beginning with “A” in line 17 down through “claim” in line 20 and substitute “A MANUFACTURER MAY NOT BASE A DENIAL OF A DEALER’S CLAIM SOLELY ON THE DEALER’S CLERICAL ERROR, INCIDENTAL FAILURE TO COMPLY WITH A SPECIFIC CLAIM PROCESSING REQUIREMENT, OR OTHER TECHNICAL OR ADMINISTRATIVE ERROR, PROVIDED THAT THE DEALER CORRECTS THE CLAIM IN ACCORDANCE WITH THE LICENSEE GUIDELINES”.

AMENDMENT NO. 10

On page 9, strike beginning with the colon in line 3 down through “May” in line 6 and substitute “MAY”.

The preceding 10 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:

House Bill 14 – Delegates ~~Simmons and K. Kelly~~ Clippinger, K. Kelly, Simmons, Arora, Dumais, Glenn, Anderson, Lee, McComas, Mitchell, Sophocleus, Valderrama, Valentino-Smith, and Waldstreicher

AN ACT concerning

Criminal Law – Part-Time School Employees, Contractors, and Coaches – Sexual Contact with Minors

HB0014/518273/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 14

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Part-Time School Employees, Contractors, and Coaches –”; in line 3, after “Minors” insert “– School Employees”; strike beginning with “to” in line 6 down through “coaches” in line 9; and strike beginning with “who” in line 11 down through “program” in line 12 and substitute “under certain circumstances; providing that a certain violation under this Act is not included within a certain definition for a certain registry”.

On page 2, after line 4, insert:

“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)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On page 3, strike beginning with the colon in line 6 down through “**(I)**” in line 7; in lines 8 and 9, strike “**1.**” and “**2.**”, respectively, and substitute “**(i)**” and “**(ii)**”, respectively; in line 9, strike the brackets; in the same line, strike “full-time”; strike beginning with “**OR**” in line 10 down through “**A.**” in line 11; strike beginning with “**;** **OR**” in line 12 down through the second “**SCHOOL**” in line 14; in line 15, strike “**3.**” and substitute “**(iii)**”; strike beginning with “**;** **OR**” in line 16 down through “**PROGRAM**” in line 25; and in line 26, strike “**COACH,**”.

On page 4, in line 8, strike “**(I)**”; in line 9, after “person” insert “**WHO IS EMPLOYED FULL-TIME AS A PERSON**”; strike beginning with “**, AS**” in line 9 down through “**SECTION,**” in line 10; in line 11, after “who” insert “**THE PERSON KNOWS**”; strike in their entirety lines 13 through 19, inclusive; in line 20, strike “**(I)**”; in line 21, after “person” insert “**WHO IS EMPLOYED FULL-TIME AS A PERSON**”; in lines 21 and 22, strike “**, AS DEFINED IN SUBSECTION (A)(1)(I) OF THIS SECTION,**”; in line 23, after “who” insert “**THE PERSON KNOWS**”; strike in their entirety lines 25 through 31, inclusive, and substitute:

“(D) EXCEPT AS PROVIDED IN § 3-307(A) OF THIS SUBTITLE OR SUBSECTIONS (B) OR (C) OF THIS SECTION, A PERSON WHO IS EMPLOYED PART-TIME AS A PERSON IN A POSITION OF AUTHORITY WHO IS AT LEAST 8 YEARS OLDER THAN THE VICTIM MAY NOT ENGAGE IN SEXUAL CONTACT, A SEXUAL ACT, OR VAGINAL INTERCOURSE WITH A MINOR WHO THE PERSON KNOWS, AT THE TIME OF THE SEXUAL CONTACT, SEXUAL ACT, OR VAGINAL INTERCOURSE, IS A STUDENT ENROLLED AT A SCHOOL WHERE THE PERSON IN A POSITION OF AUTHORITY IS EMPLOYED.”;

and in line 32, strike “(d)” and substitute “**(E)**”.

AMENDMENT NO. 3

On page 5, after line 7, insert:

“Article – Criminal Procedure

11-701.

(a) In this subtitle the following words have the meanings indicated.

(o) “Tier I sex offender” means a person who has been convicted of:

(1) conspiring to commit, attempting to commit, or committing a violation of § 3–308(B) OR (C) of the Criminal Law Article;

(2) conspiring to commit, attempting to commit, or committing a violation of § 3–902 or § 11–208 of the Criminal Law Article, if the victim is a minor;

(3) a crime committed in a federal, military, tribal, or other jurisdiction that, if committed in this State, would constitute one of the crimes listed in item (1) or (2) of this subsection;

(4) any of the following federal offenses:

(i) misleading domain names on the Internet under 18 U.S.C. § 2252B;

(ii) misleading words or digital images on the Internet under 18 U.S.C. § 2252C;

(iii) engaging in illicit conduct in foreign places under 18 U.S.C. § 2423(c);

(iv) failure to file a factual statement about an alien individual under 18 U.S.C. § 2424;

(v) transmitting information about a minor to further criminal sexual conduct under 18 U.S.C. § 2425;

(vi) sex trafficking by force, fraud, or coercion under 18 U.S.C. § 1591; or

(vii) travel with intent to engage in illicit conduct under 18 U.S.C. § 2423(b);

(5) any military offense specified by the Secretary of Defense under Section 115(A)(8)(C)(i) of Public Law 105–119 (codified at 10 U.S.C. § 951 Note) that is similar to those offenses listed in item (4) of this subsection; or

(6) a crime in a court of Canada, Great Britain, Australia, New Zealand, or any other foreign country where the United States Department of State has determined in its Country Reports on Human Rights Practices that an independent judiciary generally or vigorously enforced the right to a fair trial during the year in which the conviction occurred that, if the crime were committed in this State, would constitute one of the crimes listed in items (1) through (5) of this subsection.”.

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:

House Bill 153 – Delegates Anderson, Vallario, Clippinger, Cluster, Conaway, Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valderrama

AN ACT concerning

Office of the Public Defender – Representation at Bail Hearing – Provisional

HB0153/688379/2

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 153

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “a”; and in line 7, strike “exception” and substitute “exceptions”.

AMENDMENT NO. 2

On page 2, in line 33, after “HEARING” insert “OR HAS BEEN DETERMINED ELIGIBLE FOR REPRESENTATION AFTER INDEPENDENT SUPERVISORY APPROVAL UNDER THIS TITLE BASED ON THE NEED OF THE INDIVIDUAL, INCLUDING A DETERMINATION OF:

- A. THE NATURE, EXTENT, AND LIQUIDITY OF ASSETS OF THE INDIVIDUAL;**
- B. THE DISPOSABLE NET INCOME OF THE INDIVIDUAL;**
- C. THE NATURE OF THE OFFENSE CHARGED;**
- D. THE LENGTH AND COMPLEXITY OF THE PROCEEDINGS;**
- E. THE EFFORT AND SKILL REQUIRED TO GATHER PERTINENT INFORMATION; AND**
- F. ANY OTHER FORESEEABLE EXPENSE”.**

The preceding 2 amendments were read only.

Senator Getty moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 250 – Delegates Smigiel, Afzali, Eckardt, Frank, Hershey, Jacobs, Krebs, McComas, McDermott, W. Miller, Oaks, and Parrott

AN ACT concerning

Criminal Procedure – Victims’ Rights – Remedy and Priority of Restitution

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 713 – Delegates Dumais, Frick, Afzali, Anderson, Arora, Aumann, Barkley, Barve, Bates, Beidle, Bobo, Branch, Bromwell, Cardin, Carr, Carter, Clippinger, Cluster, Conaway, Cullison, Eckardt, Feldman,

Frush, Gilchrist, Glass, Glenn, Gutierrez, Guzzone, Haddaway–Riccio, Haynes, Healey, Hixson, Hough, Hucker, Impallaria, Jameson, Jones, Kaiser, A. Kelly, Kramer, Krebs, Lafferty, Lee, Love, Luedtke, Malone, McComas, McConkey, McDermott, McDonough, McHale, McIntosh, A. Miller, W. Miller, Mitchell, Mizeur, Morhaim, Murphy, Myers, Nathan–Pulliam, Olszewski, Parrott, Pendergrass, Ready, Reznik, B. Robinson, S. Robinson, Rudolph, Serafini, Sophocleus, Stein, Stukes, Szeliga, Tarrant, F. Turner, Valderrama, Valentino–Smith, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 777 – Delegates K. Kelly, Anderson, Cluster, Dumais, Hough, McDermott, Mitchell, Simmons, and Valentino–Smith

AN ACT concerning

Criminal Procedure – Bail Bonds – Cash Bail

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 854 – Delegates Dumais, Rosenberg, Valderrama, Valentino–Smith, and Waldstreicher

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 859 – Delegate Waldstreicher

AN ACT concerning

Interests in Grantor and Qualified Terminable Interest Property Trusts

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 977 – Delegate McDermott

AN ACT concerning

Motor Vehicle Registration – Special Vintage Reproduction Registration Plate

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1320 – Delegates Jones, Bobo, Braveboy, Cardin, Griffith, Gutierrez, Guzzone, K. Kelly, Kramer, Lafferty, McIntosh, Mitchell, Oaks, Proctor, Rosenberg, V. Turner, Waldstreicher, and M. Washington

AN ACT concerning

Baltimore City and Baltimore County – Child in Need of Supervision Pilot Program – ~~Increase, Allocation, and~~ Extension

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #27

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 151 – Delegate A. Miller

AN ACT concerning

Sales and Use Tax – Tax-Free Period – Emergency Preparedness Equipment

HB0151/559538/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 151

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 1 in its entirety and substitute “Task Force on the Implementation of Tax Benefits for Emergency Preparedness Equipment”; and strike beginning with “establishing” in line 3 down through “exemptions” in line 8 and substitute “establishing the Task Force to Study the Implementation of Tax Benefits for Emergency Preparedness Equipment; 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 Implementation of Tax Benefits for Emergency Preparedness Equipment”.

AMENDMENT NO. 2

On pages 1 and 2, strike in their entirety the lines beginning with line 9 on page 1 through line 22 on page 2, inclusive and substitute:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) There is a Task Force to Study Tax Benefits for Emergency Preparedness Equipment.

(b) The Task Force consists of the following members:

(1) one member of the Senate of Maryland, appointed by the President of the Senate;

(2) one member of the House of Delegates, appointed by the Speaker of the House;

(3) the Comptroller, or the Comptroller's designee;

(4) one representative from the Maryland chapter of AARP, designated by the Maryland AARP State president;

(5) the Chairman of the Public Service Commission, or the Chairman's designee;

(6) the Secretary of the Department of Health and Mental Hygiene, or the Secretary's designee;

(7) the Director of the Maryland Energy Administration, or the Director's designee;

(8) the Director of the Maryland Emergency Management Agency, or the Director's designee;

(9) the Director of the Governor's Office of Homeland Security, or the Director's designee; and

(10) the following members, appointed by the Governor:

(i) one member of the Maryland Retailers Association; and

(ii) one member of the public who is a customer of an electric utility.

(c) The Governor shall designate the chair of the Task Force.

(d) The Maryland Energy Administration, Maryland Emergency Management Agency, and Governor's Office of Homeland Security shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall:

(1) study which members of the population would benefit from the implementation of:

(i) an income tax credit to purchase electric generators; or

(ii) a tax-free period for emergency preparedness equipment;

(2) study how individuals with physical difficulties, elderly individuals, and other individuals who are dependent on a consistent supply of power for medical purposes would benefit from the implementation of:

(i) an income tax credit to purchase electric generators; or

(ii) a tax-free period for emergency preparedness equipment;

(3) study whether commercial establishments would also benefit from an income tax credit to purchase electric generators or a tax-free period for emergency preparedness equipment and the costs of establishing the credit or tax-free period; and

(4) make recommendations regarding the implementation of an income tax credit for the purchase of electric generators or a tax-free period for emergency preparedness equipment, including:

(i) qualifications for the credit;

(ii) the amount of the credit to be granted; and

(iii) the length of a tax-free period for emergency preparedness equipment.

(g) On or before December 1, 2013, the Task Force shall report its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2013. It shall remain effective for a period of 1 year and 1 month and, at the end of June 30, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

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:

House Bill 234 – Delegates Oaks, Carter, Clippinger, Hammen, McHale, Mitchell, Rosenberg, and Stukes

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study

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:

House Bill 235 – Delegates McComas, Afzali, Cluster, Dwyer, Fisher, Frank, George, Glass, Impallaria, Jacobs, Kach, Krebs, McConkey, McDermott, McDonough, Norman, Schulz, Sophocleus, Stocksdale, Szeliga, Vitale, and Wood

AN ACT concerning

Property Tax – ~~Assessment Worksheets – Internet Access~~ Valuation of Residential Real Property – Database

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:

House Bill 408 – Delegates Conway, Afzali, Anderson, Aumann, Barkley, Bates, Beitzel, Bobo, Bohanan, Boteler, Cane, Cardin, Cullison, DeBoy, Donoghue, Dumais, Dwyer, Eckardt, Elliott, Feldman, Fisher, Frick, Frush, Gaines, Glass, Griffith, Gutierrez, Haddaway–Riccio, Hershey, Hixson, Holmes, Hubbard, Ivey, Jacobs, James, Jones, Kaiser, Kipke, Krebs, Lafferty, Love, Luedtke, Malone, McComas, McConkey, McDermott, McIntosh, A. Miller, Norman, Otto, Proctor, Ready, S. Robinson, Rudolph, Schulz, Serafini, Smigiel, Stifler, Stocksdale, Summers, Tarrant, Vallario, Vitale, A. Washington, Weir, ~~and Wood~~ Wood, George, Harper, Myers, and Stukes

AN ACT concerning

Income Tax – Subtraction Modification – Enhanced Agricultural Management Equipment

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:

House Bill 414 – Frederick County Delegation

AN ACT concerning

Frederick County – Gaming Permits

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:

House Bill 419 – Delegate Frick

AN ACT concerning

Personal Property Tax – Liens for Unpaid Tax

HB0419/749534/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 419

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “may” insert “elect to”; in line 8, after “circumstances;” insert “providing that a certain statutory lien shall be released under certain circumstances;”; in line 9, strike “share” and substitute “portion”; and in line 10, after “owed” insert “, including a certain share of certain penalties and interest.”.

AMENDMENT NO. 2

On page 3, in line 8, after “(1)” insert “(I)”; in line 10, after “MAY” insert “ELECT TO”; in line 11, strike the first “REQUIRED”; in the same line, after “NOTICE” insert “REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION”; in line 13, after “INTEREST” insert “AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION”; and after line 13, insert:

“(II) IF THE SECURED PARTY PAYS THE REQUIRED PRO RATA PORTION OF THE PERSONAL PROPERTY TAXES DUE AND OWING, INCLUDING A PRO RATA SHARE OF THE ACCRUED PENALTY AND INTEREST AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE STATUTORY LIEN ON THE SECURED PROPERTY IDENTIFIED IN THE NOTICE REQUIRED BY PARAGRAPH (2) OF THIS SUBSECTION SHALL BE RELEASED.”.

AMENDMENT NO. 3

On page 3, in line 14, strike “WITHIN” and substitute “NOT LATER THAN”; in line 21, strike “REPOSSESSED” and substitute “SUBJECT TO REPOSSESSION”; in line 27, after “NUMBER” insert “OF THE BUSINESS THAT OWES PERSONAL PROPERTY TAXES”; in line 29, strike “WHERE” and substitute “OF”; in line 30, strike “WAS REPOSSESSED” and substitute “SUBJECT TO REPOSSESSION”; in line 32, strike “REPOSSESSED” and substitute “SUBJECT TO REPOSSESSION”; and in the same line, strike “AVAILABLE” and substitute “KNOWN”.

On page 4, strike beginning with the fourth “OF” in line 7 down through “ADVANCE” in line 8 and substitute “THE SECURED PARTY ESTABLISHED A SECURITY INTEREST IN THE PERSONAL PROPERTY”.

AMENDMENT NO. 4

On page 4, in line 15, strike “EXCEPT” and substitute “UNLESS A COUNTY OR MUNICIPALITY DISPUTES THE SECURED PARTY’S ESTIMATE”; in line 16, strike “WITHIN A REASONABLE PERIOD OF TIME”; in line 17, after “NOTICE” insert “AS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION”; in line 19, after “SUBSECTION” insert “, AND THE STATUTORY LIEN ON THE SECURED PROPERTY IDENTIFIED IN THE NOTICE UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE RELEASED”; in line 20, strike “IF A” and substitute “A”; in the same line, strike “DISPUTES” and substitute “MAY DISPUTE THE SECURED PARTY’S ESTIMATE OF”; in line 22, after the comma, insert “IF”; in line 23, strike “SHALL”; in line 24, strike “RESPOND” and substitute “RESPONDS IN WRITING”; in the same line, after “PARTY” insert “NOT LATER THAN 45 DAYS AFTER THE SECURED PARTY PROVIDED NOTICE AS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION”; in line 25, after “THE” insert “PRO RATA”; in line 26, after “PROPERTY” insert “AS CALCULATED BY THE COUNTY OR MUNICIPALITY”; and in line 27, strike “MAKE” and substitute “MAKES”.

AMENDMENT NO. 5

On page 4, in lines 13, 17, and 21, in each instance, strike “SHARE” and substitute “PORTION”.

On page 6, in line 7, strike “SHARE” and substitute “PORTION”.

AMENDMENT NO. 6

On page 5, in lines 18, 29, and 34, in each instance, strike “REPOSSESSED” and substitute “SUBJECT TO REPOSSESSION”.

On page 6, in lines 3, 12, and 14, in each instance, strike “REPOSSESSED” and substitute “SUBJECT TO REPOSSESSION”; in line 9, strike “REPOSSESSED”; and in the same line, after “PROPERTY” and insert “SUBJECT TO REPOSSESSION”.

The preceding 6 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:

House Bill 1030 – Delegate Rosenberg

AN ACT concerning

~~**Baltimore City – Property Tax – Assessment of Land for Agricultural Use**~~
Property Tax Credit – Urban Agricultural Property – Definition

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:

House Bill 1209 – Delegates Frick, Aumann, Barve, Bohanan, Boteler, Branch, Cardin, Clagett, Fisher, George, Holmes, Myers, Serafini, Stukes, Szeliga, and Walker

AN ACT concerning

Recordation Taxes – Exemptions

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:

House Bill 1236 – Delegates Hixson ~~and A. Miller~~, A. Miller, and Rosenberg

AN ACT concerning

**Recordation and Transfer Taxes – Low Income Housing Projects –
Controlling Interest**

HB1236/929730/1

BY: Budget and Taxation Committee

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “defining certain terms; making conforming and”; in line 7, strike “stylistic changes;”; in line 8, strike “of” and substitute “and”; in line 11, strike “12–101(g) through (l).”; in the same line, strike “13–101(g) and (h), 13–103(a).”; in line 17, strike “12–101(a–1) and (g), 12–103(a–1).” and substitute “12–103(a–1)”; and in the same line, strike “13–101(a–1) and (g).”.

On pages 1 and 2, strike in their entirety the lines beginning with line 21 on page 1 through line 3 on page 2, inclusive.

AMENDMENT NO. 2

On pages 2 and 3, strike in their entirety the lines beginning with line 7 on page 2 through line 15 on page 3, inclusive.

On pages 4 and 5, strike in their entirety the lines beginning with line 4 on page 4 through line 10 on page 5, inclusive.

AMENDMENT NO. 3

On page 3, in line 30, after “**ENTITY**” insert “**AS DEFINED IN § 12–117 OF THIS SUBTITLE**”.

On page 5, in line 25, after “**ENTITY**” insert “**AS DEFINED IN § 13–103 OF THIS TITLE**”.

On page 6, in line 16, after “**ENTITY**” insert “**AS DEFINED IN § 13–103 OF THIS TITLE**”.

The preceding 3 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 with amendments:

House Bill 1455 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Property Tax –
Payment in Lieu of Taxes Agreement
MC/PG 118–13**

HB1455/109230/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1455
(Third Reading File Bill)

On page 1, in line 16, strike “providing for a delayed effective date;”.

On page 4, in line 2, strike “2014” and substitute “2013”.

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:

House Bill 1494 – Delegates Conway, Bates, Guzzone, McConkey, Proctor, B. Robinson, ~~and Zucker~~ Zucker, Aumann, Beitzel, Bohanan, DeBoy, Eckardt, Gaines, Griffith, Gutierrez, Haynes, James, Jones, Mizeur, Sophocleus, Stocksdale, Szeliga, M. Washington, and Wood

AN ACT concerning

Correctional Services – Standards for Correctional Facilities – Funding

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:

House Bill 359 – Chair, Health and Government Operations Committee (By Request – Departmental – Military)

AN ACT concerning

Militia – Maryland Defense Force – Enlistment Period

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 1 (See Roll Call No. 1070)

The Bill was then sent to the House of Delegates.

House Bill 1337 – Delegates Griffith, Bohanan, Guzzone, Jones, Mizeur, Proctor, Tarrant, ~~and Zucker~~ Zucker, Hammen, Cullison, A. Kelly, Murphy, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, and V. Turner

AN ACT concerning

Maryland Public Art Initiative Program – ~~Revisions~~ Selection of Art for Capital Projects

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 799 – Senators Middleton, Astle, Conway, and Garagiola

AN ACT concerning

Energy – Landfill Diversion – Municipal Solid Waste Portfolio Standard

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

FLOOR AMENDMENT

SB0799/983927/1

BY: Senator Rosapepe

AMENDMENT TO SENATE BILL 799, AS AMENDED

On page 4 of the Finance Committee Amendments (SB0799/697579/1), in line 10 of Amendment No. 2, strike “18”.

On page 5 of the Finance Committee Amendments, in line 10 of Amendment No. 2, strike “and”; and in line 19, after “Network” insert “; and

(13) one representative of the landfill gas recovery industry”.

The preceding amendment was read and rejected.

Read the second time and ordered prepared for Third Reading.

Senate Bill 826 – Senators Kittleman and Robey

AN ACT concerning

Open Meetings Act – Violations and Penalties

STATUS OF BILL: BILL IS ON SECOND READING AND OPEN TO AMENDMENT.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #34

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

House Bill 1145 – Prince George’s County Delegation

AN ACT concerning

**Task Force to Study Energy Generation in Prince George’s County
PG 416–13**

HB1145/607779/1

BY: Finance Committee

AMENDMENT TO HOUSE BILL 1145

(Third Reading File Bill)

On page 2, in line 12, strike “and”; and in line 13, after “(7)” insert “the business manager of the International Brotherhood of Electrical Workers, Local Union 26, or the business manager’s designee; and

(8)”.

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 RULES REPORT #16

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Judicial Proceedings:

House Bill 801 – Delegates Tarrant, Anderson, Branch, Clippinger, Hammen, Haynes, McHale, McIntosh, Mitchell, Oaks, B. Robinson, Stukes, and M. Washington

AN ACT concerning

Vehicle Laws – Unlawful Use of Off-Highway Recreational Vehicles – Administrative 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 Budget and Taxation:

House Bill 1004 – Delegates Cardin, Stocksdale, Aumann, Boteler, Dwyer, Eckardt, Frank, Glass, Impallaria, McConkey, McDonough, Murphy, Sophocleus, ~~and Waldstreicher~~ Waldstreicher, Afzali, and Walker

AN ACT concerning

Income Tax – Subtraction Modification – Maryland Civil Air Patrol

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:

House Bill 1343 – Delegates Glenn, Anderson, Bromwell, Carter, Conaway, Cullison, Frush, Hubbard, Kach, A. Kelly, Mitchell, Morhaim, Murphy, Oaks, Pena–Melynk, Stukes, Tarrant, ~~and M. Washington~~ M. Washington, Hammen, Pendergrass, Kipke, McDonough, Nathan–Pulliam, Elliott, Frank, Ready, and V. Turner

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

The bill was re–referred to the Committee on Finance.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 1433 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – School Facilities Surcharge
PG 420–13**

STATUS OF BILL:QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Ramirez moved, duly seconded, to make the Bill and Report a Special Order for April 8, 2013.

The motion was adopted.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #65

Senate Bill 447 – Senators Pugh, Astle, and Garagiola

AN ACT concerning

**Business Regulation – Introduction of Additives into Gasoline –
Authorization**

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 5 (See Roll Call No. 1071)

The Bill was then sent to the House of Delegates.

Senate Bill 627 – ~~Senators Ramirez and Manno~~, Manno, and Garagiola

AN ACT concerning

Maryland Energy Administration – Regulated Sustainable Energy Contract Program

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1072)

The Bill was then sent to the House of Delegates.

Senate Bill 1016 – ~~Senator Frosh~~ Senators Frosh, Astle, Garagiola, Glassman, Kelley, Kittleman, Klausmeier, Mathias, Middleton, Ramirez, and Pugh

AN ACT concerning

Clean Energy Loan Programs – Private Lenders – Collection of Loan Payments

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1073)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #22

House Bill 327 – Delegates Ready, Bromwell, Elliott, Krebs, Pena-Melnyk, Stocksdale, ~~and Tarrant~~ Tarrant, Hammen, Pendergrass, Costa, Cullison, Donoghue, Frank, Hubbard, Kach, A. Kelly, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Reznik, and V. Turner

AN ACT concerning

State Government – Health, Education, and Social Services ~~Provider Data Warehouse~~ – Submission of Documents in Electronic Form

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1074)

The Bill was then sent to the House of Delegates.

House Bill 669 – Delegates Vaughn, Barkley, Barnes, Davis, and Rudolph

AN ACT concerning

**Business Regulation – Introduction of Additives into Gasoline –
Authorization**

Read the third time and passed by yeas and nays as follows:

Affirmative – 31 Negative – 13 (See Roll Call No. 1075)

The Bill was then sent to the House of Delegates.

House Bill 695 – Delegate Rudolph

AN ACT concerning

Homeowner’s Insurance – Anti-Concurrent Causation Clause – Prohibited

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1076)

The Bill was then sent to the House of Delegates.

**House Bill 716 – Delegates Tarrant, Costa, Cullison, Elliott, Hubbard,
A. Kelly, Kipke, Krebs, Nathan-Pulliam, Pena-Melnyk, Ready, and
V. Turner**

AN ACT concerning

Drug Therapy Management – Physician-Pharmacist Agreements

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1077)

The Bill was then sent to the House of Delegates.

House Bill 749 – Delegate Beitzel

AN ACT concerning

Garrett County – Alcoholic Beverages – Licenses, Permits, and Other Authorizations

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1078)

The Bill was then sent to the House of Delegates.

House Bill 767 – Delegate Frush (Chair, Task Force on the Establishment of a Statewide Spay/Neuter Fund) and Delegates S. Robinson, ~~Afzali~~, Arora, Barkley, Barnes, Barve, Beidle, Bobo, Cane, Cardin, Carr, Davis, ~~Eckardt~~, Frick, Gaines, George, Gilchrist, Guzzone, Haddaway-Riccio, Haynes, Healey, Hogan, Holmes, Hubbard, Huckler, Ivey, Kach, A. Kelly, Kipke, Kramer, Lafferty, Lee, Love, Luedtke, Malone, McComas, McIntosh, McMillan, A. Miller, Minnick, Morhaim, Niemann, ~~Norman~~, ~~O'Donnell~~, Olszewski, Pena-Melnyk, Pendergrass, Reznik, Swain, Valentino-Smith, ~~Vitale~~, Waldstreicher, Weir, Wilson, ~~and Zucker~~ Zucker, Busch, Glenn, and Stein

AN ACT concerning

Animal Welfare – Spay/Neuter Fund – Establishment

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 1 (See Roll Call No. 1079)

The Bill was then sent to the House of Delegates.

House Bill 1009 – Delegate Reznik

AN ACT concerning

~~**Medical Spa Facilities – Licensing Requirements**~~
Cosmetic Surgical Facilities – Regulation

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1080)

The Bill was then sent to the House of Delegates.

House Bill 1148 – Delegates Luedtke, Arora, Barkley, Barve, Cardin, Carr, Clippinger, Cullison, Dumais, Frush, Gutierrez, Hixson, Huckler, Kach,

**Kaiser, A. Kelly, Kipke, A. Miller, Mizeur, Morhaim, Reznik,
S. Robinson, Stein, Waldstreicher, M. Washington, and Zucker**

AN ACT concerning

Natural Resources – Shark Fins – Restriction on Possession or Distribution

Read the third time and passed by yeas and nays as follows:

Affirmative – 39 Negative – 5 (See Roll Call No. 1081)

The Bill was then sent to the House of Delegates.

House Bill 1253 – Delegates Jacobs, Otto, Weir, and Wood

AN ACT concerning

Natural Resources – Commercial Fishing – Licensing

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 5 (See Roll Call No. 1082)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #23

CONSENT CALENDAR #10

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 68	Dorchester Co. Del.	Dorchester County – Alcoholic Beverages – Micro-Breweries	EHE
HB 133	Dorchester Co. Del.	Dorchester County – Alcoholic Beverages – Refillable Containers	EHE
HB 162	Caroline County Del.	Caroline County – Alcoholic Beverages – Micro-Brewery Licenses	EHE
HB 199	Del. Hershey	Queen Anne’s County – Beer, Wine and Liquor Tasting License	EHE

HB 343	Harford County Del.	Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees	EHE
HB 345	Harford County Del.	Harford County Liquor Control Board – Reserve Account	EHE
HB 410	Frederick County Del.	Frederick County – Alcoholic Beverages – License Fees	EHE
HB 464	Del. Beitzel	Garrett County – Alcoholic Beverages – Sunday Sales	EHE
HB 816 (Emergency Bill)	Allegany County Del.	Alcoholic Beverages – Allegany County – Video Lottery Facility Sales and Consumption	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 10 were read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1083)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #24

House Bill 72 – Delegate O’Donnell

AN ACT concerning

Natural Resources – Aquaculture Coordinating Council – Reporting Date

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1084)

The Bill was then sent to the House of Delegates.

House Bill 306 – Delegates O’Donnell, Haddaway–Ricchio, and Lafferty

EMERGENCY BILL

AN ACT concerning

Natural Resources – Aquaculture – Shellfish Nursery Permits

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1085)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #25

CONSENT CALENDAR #11

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 66 (Emergency Bill)	Dorchester Co. Del.	Dorchester County – Turkey Hunting on Public Land – Sundays	EHE
HB 465	Del. Otto	Somerset County – Emergency Burning Ban – Adoption and Enforcement	EHE
HB 466	Del. Otto	Somerset County – Sale of Small Boat Harbor Dock	EHE
HB 554	Del. Schuh	Environment and Public Utilities – Notice to Neighboring Jurisdictions of Applications	EHE
HB 561	Del. Hubbard	Agriculture – Nutrient Management – Limiting Applicability	EHE
HB 769	Del. Malone	Public Safety – Md Bldg Performance Standards – Local Wind Design and Wind-Borne Debris Standards	EHE
HB 793	Del. Hucker	Environment – Asbestos Occupation – Training Program and Examination	EHE
HB 828	Del. Beitzel	Business Occupations – Oil and Gas Land Professionals – Registration	EHE

HB 877	Del. Morhaim	Procurement – Investment Activities in Iran – Bd of Public Works Authority to Adopt Regs	EHE
HB 994	Del. Schuh	Env – Wetlands and Waterways Authorzns – Installation of Personal Watercraft Lifts	EHE
HB 1505	Del. Jacobs	Oysters – Power Dredging – Time Period	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 11 were read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1086)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #26

House Bill 18 – ~~Delegate Vitale~~ Anne Arundel County Delegation

AN ACT concerning

Anne Arundel County – Alcoholic Beverages – Refillable Container License

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1087)

The Bill was then sent to the House of Delegates.

House Bill 48 – ~~Delegate B. Robinson~~ Delegates B. Robinson, Hammen, Donoghue, Elliott, A. Kelly, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass, Reznik, and V. Turner

AN ACT concerning

Minority Business Enterprises – Not-for-Profit Entities

Read the third time and passed by yeas and nays as follows:

Affirmative – 30 Negative – 14 (See Roll Call No. 1088)

The Bill was then sent to the House of Delegates.

House Bill 145 – ~~Delegate George~~ Anne Arundel County Delegation

AN ACT concerning

City of Annapolis – Alcoholic Beverages – Refillable Container License

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1089)

The Bill was then sent to the House of Delegates.

House Bill 167 – Delegates Ivey, Afzali, Anderson, Aumann, Barkley, Barnes, Barve, Bohanan, Branch, Braveboy, Bromwell, Burns, Cane, Cardin, Carter, Clippinger, Conaway, Cullison, Davis, Elliott, Feldman, Frick, Frush, Gaines, George, Gilchrist, Glass, Glenn, Griffith, Guzzone, Hammen, Haynes, Healey, Hershey, Holmes, Howard, Hubbard, Hucker, James, Jameson, Jones, Kach, Kaiser, Kipke, Kramer, Krebs, Luedtke, McConkey, McDonough, A. Miller, Mitchell, Morhaim, Myers, Nathan–Pulliam, Niemann, Norman, Oaks, Olszewski, Pena–Melnik, Ready, Reznik, B. Robinson, S. Robinson, Serafini, Smigiel, Stein, Stukes, Summers, Tarrant, F. Turner, V. Turner, Valderrama, Valentino–Smith, Waldstreicher, Walker, A. Washington, M. Washington, Wilson, Wood, and Zucker

AN ACT concerning

State Government – Commemorative Days – Maryland Emancipation Day

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1090)

The Bill was then sent to the House of Delegates.

House Bill 191 – Delegates Mitchell, Bromwell, Afzali, Branch, Braveboy, Cardin, Carter, Glenn, Pena–Melnik, B. Robinson, Smigiel, Stukes, Walker, M. Washington, ~~and Wilson~~ Wilson, Hammen, Pendergrass, Costa, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, Morhaim, Murphy, Nathan–Pulliam, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Procurement – ~~Maryland Buy American Steel and~~ Purchase of American Manufactured Goods Act

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1091)

The Bill was then sent to the House of Delegates.

House Bill 214 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 0 (See Roll Call No. 1092)

The Bill was then sent to the House of Delegates.

House Bill 275 – Wicomico County Delegation

AN ACT concerning

Wicomico County Liquor Act of 2013

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1093)

The Bill was then sent to the House of Delegates.

**House Bill 357 – Delegates Wood, Hubbard, McIntosh, Bohanan, Frush,
Jameson, and Murphy**

AN ACT concerning

Potomac River Fisheries Commission – Inspection Tax and Penalty

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 2 (See Roll Call No. 1094)

The Bill was then sent to the House of Delegates.

**House Bill 385 – Delegates S. Robinson, Arora, Barkley, Beidle, Bobo, Cane,
Carr, Clippinger, Cullison, Frush, Gaines, Gilchrist, Glenn, Holmes,**

Hucker, Ivey, Kaiser, A. Kelly, Lafferty, Luedtke, McIntosh, A. Miller, Niemann, Otto, Reznik, Summers, Wilson, and Zucker

AN ACT concerning

Chesapeake Conservation Corps Program – Funding Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1095)

The Bill was then sent to the House of Delegates.

House Bill 708 – Delegates McIntosh, Beidle, Bobo, Carr, Frush, Hogan, Hubbard, Jacobs, Lafferty, McMillan, Niemann, S. Robinson, and Wilson

AN ACT concerning

Natural Resources – Nuisance Organisms – Penalties

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1096)

The Bill was then sent to the House of Delegates.

House Bill 999 – Worcester County Delegation

SECOND PRINTING

AN ACT concerning

**Worcester County – Alcoholic Beverages ~~Licenses – Fines – Alcohol~~
~~Awareness Program~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 0 (See Roll Call No. 1097)

The Bill was then sent to the House of Delegates.

House Bill 1019 – Delegates Jameson, Bohanan, Murphy, and Wilson

AN ACT concerning

Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1098)

The Bill was then sent to the House of Delegates.

House Bill 1170 – Delegate Lafferty

AN ACT concerning

Maryland Smart Growth Investment Fund Workgroup

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1099)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #27

CONSENT CALENDAR #12

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 98	Del. Hubbard	State Board of Examiners of Psychologists – License Renewal	EHE
HB 179	Del. Hubbard	Pharmacists – Administration of Vaccinations – Expanded Authority and Reporting Requirements	EHE
HB 206	The Speaker	Health Occupations – Sunset Extension and Program Evaluation	EHE
HB 314	Del. Pena–Melnyk	State Bd of Morticians and Funeral Directors – Authority to Discipline – Funeral Est Licenses	EHE
HB 425	Del. Nathan–Pulliam	St Bd of Nursing – Medication	EHE

	(Emergency Bill)		Technician Graduates and Certd Medication Technicians – Sunset Ext	
HB 529	Del. Pena–Melnyk		St Bd of Morticians and Fnrl Drctrs – Apprentice Sponsors, Fnrl Est Licenses, & Suprvsng Morticians	EHE
HB 591	Del. Morhaim		State Board of Pharmacy – Wholesale Distribution – Pharmacies	EHE
HB 624	Del. Pena–Melnyk		State Board of Nursing – Licensure by Endorsement – Clinical Experience	EHE
HB 723	Del. Tarrant		Health Occupations – Physician Assistants – Authority to Practice	EHE
HB 868 (Emergency Bill)	Del. Murphy		Health Occupations – State Board of Pharmacy – Waivers – Pharmacies That Only Dispense Devices	EHE
HB 879	Del. Hubbard		Health Occupations – Polysomnographic Technologists – Licensure and Discipline	EHE
HB 900	Del. Kach		Md Bd of Physicians – Failure to Renew a License or Misrepresentation as a Lic'd Person – Penalties	EHE
HB 905	Del. Kach		Health Occupations – Funeral Establishments – Preparation and Holding Rooms	EHE
HB 980	Del. V. Turner		Md Bd of Physcns – Auth to Iss Temp Lics and Rdtn Thrpy, Rdgrphy, Nuc Mdcn Tch, and Rdlgy Adv Cmm	EHE
HB 1121	Del. Kipke		Health Occupations – Dental Hygienists – Provision of	EHE

Services at a Community–Based
Health Fair

HB 1237 Del. Bromwell

Hlth Cr Practs – Prsptn Drg
or Dvc Dspn – Med Facs or
Clns Tht Splze in Trtmt Reib
Wrkrs’ Comp Ins

EHE

All of the above listed bills on the Third Reading Consent Calendar No. 12 were read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1100)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #28

**House Bill 95 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment)**

AN ACT concerning

Environment – Permits – New Source Performance Standards

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1101)

The Bill was then sent to the House of Delegates.

House Bill 212 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1102)

The Bill was then sent to the House of Delegates.

House Bill 216 – Delegates Hershey, Jacobs, and Smigiel

AN ACT concerning

Queen Anne's County – Alcoholic Beverages – Micro-Brewery Licenses

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1103)

The Bill was then sent to the House of Delegates.

House Bill 293 – Delegates Hubbard, Boteler, Cardin, Cluster, Costa, K. Kelly, Kipke, Malone, ~~and Olszewski~~ Olszewski, Hammen, Pendergrass, Bromwell, Cullison, Elliott, Frank, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

Construction Contracts Awarded by Public Bodies – Retention of Percentage as Security

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1104)

The Bill was then sent to the House of Delegates.

House Bill 543 – Carroll County Delegation

AN ACT concerning

Carroll County – Deer Hunting – Sundays

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 1 (See Roll Call No. 1105)

The Bill was then sent to the House of Delegates.

House Bill 572 – Delegates Beidle and Frush

AN ACT concerning

Natural Resources – Tree Expert License – Qualifications

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 1 (See Roll Call No. 1106)

The Bill was then sent to the House of Delegates.

House Bill 585 – Delegates Reznik, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Frick, Healey, Hubbard, A. Kelly, Kipke, Murphy, Nathan–Pulliam, Oaks, Pena–Melnik, Ready, B. Robinson, Tarrant, and V. Turner

AN ACT concerning

Procurement – Subcontractor Equal Access to Bonding Act of 2013

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 1 (See Roll Call No. 1107)

The Bill was then sent to the House of Delegates.

House Bill 598 – Delegate Carr

AN ACT concerning

Water and Sewer Service – Billing Period

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1108)

The Bill was then sent to the House of Delegates.

House Bill 706 – Chair, Environmental Matters Committee (By Request – Departmental – Natural Resources)

AN ACT concerning

Natural Resources – Forest Preservation Act of 2013

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 1 (See Roll Call No. 1109)

The Bill was then sent to the House of Delegates.

House Bill 720 – Washington County Delegation

AN ACT concerning

**Washington County – Salary Study Commission – Updating Salary and
Expense Provisions – ~~Membership~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1110)

The Bill was then sent to the House of Delegates.

**House Bill 936 – Delegates S. Robinson, Carr, Gilchrist, Haddaway–Riccio,
and Mizeur**

AN ACT concerning

Natural Resources – Maryland Botanical Heritage Workgroup

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1111)

The Bill was then sent to the House of Delegates.

House Bill 1076 – Delegates Eckardt, Beidle, Jacobs, and McDermott

AN ACT concerning

**Counties and Municipalities – Required Legislation or Regulations –
Adoption by Reference**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1112)

The Bill was then sent to the House of Delegates.

House Bill 1413 – Delegate Malone

AN ACT concerning

Public Safety – Fire Protection and Prevention – Residential Smoke Alarms

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1113)

The Bill was then sent to the House of Delegates.

**House Bill 1440 – Chair, Environmental Matters Committee (By Request –
Departmental – Environment) ~~and Delegate Mizeur~~ and Delegates
Mizeur and Carr**

AN ACT concerning

Recycling – Composting Facilities

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1114)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #29

CONSENT CALENDAR #14

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 4	Del. Haddaway–Ricchio	Alcoholic Beverages – Brewery License – On–Premises Consumption	EHE
HB 70	Del. Carr	State Government – Access to Public Records in Electronic Formats – Termination Date	EHE
HB 209	The Speaker	State Board of Public Accountancy – Sunset Extension and Program Evaluation	EHE
HB 231	Del. Schulz	Alcoholic Beverages – Class 7 Limited Beer Wholesaler’s License	EHE
HB 270	Del. Haddaway–Ricchio	Electrical Inspectors and Plumbing Inspectors – Master License Required	EHE
HB 319	Carroll County Del.	Carroll County – Board of Education – Nonvoting Student Representative	EHE

HB 891	Del. McConkey	Anne Arundel County – Drug Free School Zones – Hotline Number on Signs	EHE
HB 983	Del. Hixson	Public Schools – Emergency Management Plans – Evaluations	EHE
HB 1012	Del. Wilson	Higher Education – Tuition Waiver – Foster Care Recipients	EHE
HB 1131	Del. Hixson	Commission on the Establishment of a Maryland Educators Service Memorial	EHE
HB 1168	Del. Hixson	Education – Minority Teacher Recruitment – Study and Report	EHE
HB 1176	Del. Hixson	Primary and Secondary Education – Online Courses and Services – Accessibility	EHE
HB 1342	Del. Kaiser	Maryland Longitudinal Data System – Governing Board and Data Transfers	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 14 were read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1115)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #30

House Bill 7 – Delegate Bohanan

AN ACT concerning

Southern Maryland Higher Education Council – Modifications

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1116)

The Bill was then sent to the House of Delegates.

House Bill 196 – Delegates Cardin, Morhaim, Reznik, Rosenberg, and M. Washington

AN ACT concerning

Election Law – Special Elections – Voting by Mail

Read the third time and passed by yeas and nays as follows:

Affirmative – 38 Negative – 6 (See Roll Call No. 1117)

The Bill was then sent to the House of Delegates.

House Bill 362 – Chair, Environmental Matters Committee (By Request – Departmental – Ethics Commission, State)

AN ACT concerning

Public Ethics – Definition of “Interest” – Mutual Funds

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 1 (See Roll Call No. 1118)

The Bill was then sent to the House of Delegates.

House Bill 639 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Maryland–Washington Metropolitan District and Regional District –
Boundaries – City of Laurel
MC/PG 111–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1119)

The Bill was then sent to the House of Delegates.

House Bill 642 – Montgomery County Delegation and Prince George’s County Delegation

AN ACT concerning

**Washington Suburban Sanitary Commission – Sewage Leaks – Posting
Requirements
MC/PG 114–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1120)

The Bill was then sent to the House of Delegates.

**House Bill 730 – Delegates Parrott, Afzali, Aumann, Boteler, Dwyer, Eckardt,
Frank, George, Haddaway–Riccio, Hogan, Hough, Impallaria, Kipke,
Krebs, McComas, W. Miller, Norman, Smigiel, Stocksdale, Szeliga, and
Vitale**

AN ACT concerning

Election Law – Polling Places – Electioneering

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1121)

The Bill was then sent to the House of Delegates.

House Bill 1257 – Delegates McIntosh, Bobo, Healey, Lafferty, and Niemann

AN ACT concerning

Land Use – Clarifications and Corrections

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 1 (See Roll Call No. 1122)

The Bill was then sent to the House of Delegates.

House Bill 1432 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Public Safety Surcharge
PG 421–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1123)

The Bill was then sent to the House of Delegates.

House Bill 1514 – Howard County Delegation

AN ACT concerning

Howard County – Noise Control – Outdoor Concert Venues Ho. Co. 9–13

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1124)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #31

CONSENT CALENDAR #15

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 697	Del. Dumais	Courts and Judicial Proceedings – Maryland Mediation Confidentiality Act – Applicability	JPR
HB 853 (AMENDED)	Del. Dumais	Family Law – Domestic Violence – Permanent Final Protective Orders	JPR
HB 858	Del. Waldstreicher	Estates and Trusts – Modified Administration and Inheritance Tax	JPR
HB 921	Del. Valentino–Smith	Correctional Services – Inmate Earnings – Compensation for Victims of Crime	JPR

All of the above listed bills on the Third Reading Consent Calendar No. 15 were read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1125)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #32

House Bill 225 – The Speaker (By Request – Administration) and Delegates Anderson, Barkley, Barve, Branch, Braveboy, Dumais, Feldman, Frush, Glass, Hubbard, Hucker, Jameson, A. Kelly, Kipke, Kramer, Lee, Love, Malone, McHale, Minnick, Mitchell, Morhaim, Olszewski, S. Robinson, Rosenberg, ~~and Rudolph~~ Rudolph, James, Frank, Wilson, Krebs, Szeliga, McComas, Weir, DeBoy, Wood, Impallaria, O'Donnell, Elliott, Bromwell, Beitzel, A. Miller, Hammen, Pendergrass, Costa, Cullison, Donoghue, Kach, Murphy, Nathan-Pulliam, Pena-Melnyk, Ready, Reznik, Tarrant, V. Turner, Burns, Davis, Haddaway-Riccio, Hershey, Vaughn, Schuh, Schulz, and Stifler

AN ACT concerning

Veterans Full Employment Act of 2013

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1126)

The Bill was then sent to the House of Delegates.

House Bill 238 – Delegates Oaks, Anderson, Branch, Carter, Conaway, Glenn, Haynes, Mitchell, B. Robinson, Stukes, ~~Tarrant, and F. Turner~~ and Tarrant

AN ACT concerning

Morgan State University – Board of Regents – Length and Limitation of Terms and Residency Requirement

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1127)

The Bill was then sent to the House of Delegates.

House Bill 331 – Delegates Morhaim, Barve, Bromwell, Costa, Hubbard, James, Kach, K. Kelly, Kipke, Lafferty, McMillan, W. Miller, Mizeur, O'Donnell, Pena-Melnyk, Smigiel, Stein, Tarrant, ~~and V. Turner~~

**V. Turner, Hammen, Pendergrass, Cullison, Donoghue, Elliott, Frank,
A. Kelly, Krebs, McDonough, Nathan–Pulliam, Oaks, Ready, and Reznik**

AN ACT concerning

Open Meetings Act – Violations and Penalties

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1128)

The Bill was then sent to the House of Delegates.

House Bill 527 – Delegate Clagett

AN ACT concerning

Frederick Regional Higher Education Advisory Board

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1129)

The Bill was then sent to the House of Delegates.

House Bill 823 – Delegates M. Washington, Anderson, Braveboy, Carter, Clippinger, Conaway, Cullison, Donoghue, Griffith, Gutierrez, Hucker, Kaiser, Lee, McIntosh, A. Miller, Oaks, Olszewski, Pena–Melnyk, B. Robinson, Stukes, Tarrant, Valentino–Smith, Waldstreicher, and Walker

AN ACT concerning

Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1130)

The Bill was then sent to the House of Delegates.

House Bill 1014 – Delegate Stein

AN ACT concerning

~~Nonpublic Schools~~ **Public and Nonpublic Schools – Epinephrine Availability
and Use – Policy ~~and Immunity~~**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1131)

The Bill was then sent to the House of Delegates.

**House Bill 1096 – Delegate Hammen (Chair, Health and Government
Operations Committee)**

EMERGENCY BILL

AN ACT concerning

**State Board of Physicians and Allied Health Advisory Committees – Sunset
Extension and Program Evaluation**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1132)

The Bill was then sent to the House of Delegates.

House Bill 1296 – Delegates Cullison and Frank

AN ACT concerning

State Board of Physicians – Quasi–Judicial Powers – Revision

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1133)

The Bill was then sent to the House of Delegates.

House Bill 1313 – Delegate Cullison

EMERGENCY BILL

AN ACT concerning

**State Board of Physicians – Consultation, Qualification for Licensure,
License Renewal, and Representation to the Public**

Read the third time and passed by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1134)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #17

AMENDED IN THE HOUSE

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

Senator Conway moved that the Senate concur in the House amendments.

SB0188/576486/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 188

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Enterprises –” insert “Participation and”; in line 16, after “changes;” insert “altering the termination date for certain provisions of law concerning the minority business enterprise program; altering the dates by which the certification agency designated by the Board of Public Works for the minority business enterprise program, in consultation with the General Assembly and the Office of the Attorney General, to conduct a certain evaluation of the minority business program;”; and in line 17, after “participation” insert “and”.

On page 2, in line 8, strike “and 14–303” and substitute “, 14–303, and 14–309”; and after line 10, insert:

“BY repealing and reenacting, with amendments,

Chapter 154 of the Acts of the General Assembly of 2012

Section 2”.

AMENDMENT NO. 2

On page 8, in line 11, strike “(1)(ii)” and substitute “**(1)(III)**”.

On page 15, after line 9, insert:

“14–309.

The provisions of §§ 14–301 through 14–305 of this subtitle, and any regulations adopted under those sections, shall be of no effect and may not be enforced after July 1, [2016] **2017**.

Chapter 154 of the Acts of 2012

SECTION 2. AND BE IT FURTHER ENACTED, That the Certification Agency, in consultation with the General Assembly and the Office of the Attorney General, shall initiate a study of the Minority Business Enterprise Program to evaluate the Program’s continued compliance with the requirements of the Croson decision and any subsequent federal or constitutional requirements. In preparation for the study, the Board of Public Works may adopt regulations authorizing a unit of State government to required bidders and offerors to submit information necessary for the conduct of the study. The Board of Public Works may designate that certain information received in accordance with regulations adopted under this section shall be confidential. Notwithstanding that certain information may be designated by the Board of Public Works as confidential, the Certification Agency may provide the information to any person that is under contract with the Certification Agency to assist in conducting the study. The study shall also evaluate race–neutral programs and other methods that can be used to address the needs of minority businesses. The final report on the study shall be submitted to the Legislative Policy Committee of the General Assembly, in accordance with § 2–1246 of the State Government Article, before September 30, [2015] **2016**, so that the General Assembly may review the report before the [2016] **2017** Session.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1135)

AMENDED IN THE HOUSE

Senate Bill 586 – Senators ~~Middleton and Dyson~~, Dyson, Conway, Benson, Ferguson, Jennings, Montgomery, Pinsky, Reilly, Simonaire, and Young

AN ACT concerning

Task Force to Study the Implementation of a Hub and Spoke Program in the Southern Maryland Region

Senator Conway moved that the Senate concur in the House amendment.

SB0586/240811/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 586

(Third Reading File Bill)

On page 2, in line 19, after the first “the” insert “nutritional”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1136)

CONCURRENCE CALENDAR #16**AMENDED IN THE HOUSE**

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

Senator Middleton moved that the Senate concur in the House amendments.

SB0356/862617/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 356
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “identify” insert “certain”.

AMENDMENT NO. 2

On page 1, strike beginning with the colon in line 16 down through “(ii)” in line 18.

On page 2, in line 1, after “identify” insert “nongovernmental”; and in the same line, strike “to invest in ex-offender businesses and”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1137)

CONCURRENCE CALENDAR #19

AMENDED IN THE HOUSE

Senate Bill 489 – Senators Shank and Getty

AN ACT concerning

**Estates and Trusts – Slayer’s Statute
(Ann Sue Metz Law)**

Senator Frosh moved that the Senate concur in the House amendments.

SB0489/692516/1

BY: House Judiciary Committee

AMENDMENTS TO SENATE BILL 489
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, after the semicolon insert “providing that a person may allege in a civil proceeding that another person is disqualified for certain purposes; providing a certain period of limitations for filing a certain civil action; providing that a certain civil proceeding shall be stayed under certain circumstances;”; in line 16, after “is” insert “admissible in a civil proceeding and”; in line 17, after the first semicolon insert “authorizing certain persons to seek a certain determination and other relief;”; in the same line, strike “court” and substitute “trier of fact”; in the same line, after the second semicolon insert “clarifying that this Act does not affect a right to a jury trial that otherwise exists; making certain conforming changes relating to certain statutory provisions concerning the common law Slayer’s Rule;”; and in line 19, strike “the killing of” and substitute “killing, conspiring to kill, or procuring the killing of”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 10–919
Annotated Code of Maryland
(2006 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – Estates and Trusts
Section 2–105(b)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 3

On page 2, after line 2, insert:

“Article – Courts and Judicial Proceedings

10–919.

(a) After all right to appeal has been exhausted, a judgment of conviction establishing criminal accountability for the felonious and intentional killing of a decedent:

(1) Is admissible in a [subsequent] civil proceeding in which the Common Law Slayer's Rule is raised as an issue; and

(2) Conclusively establishes that the convicted individual feloniously and intentionally killed the decedent.

(b) This section may not be construed to prohibit a [court] TRIER OF FACT, in the absence of a criminal conviction, from determining by a preponderance of the evidence in a civil proceeding that a killing was felonious and intentional.”.

AMENDMENT NO. 4

On page 2, after line 3, insert:

“2-105.

(b) At the request of an interested person made within the time determined by the court, the issue of fact may be determined by a court of law. When the request is made before the court has determined the issue of fact, the court shall transmit the issue to a court of law.”.

AMENDMENT NO. 5

On page 3, after line 11, insert:

“(E) (1) (I) IN A CIVIL PROCEEDING A PERSON MAY ALLEGE THAT ANOTHER PERSON IS A DISQUALIFIED PERSON.

(II) A PERSON MAY NOT FILE A CIVIL ACTION ALLEGING THAT ANOTHER PERSON IS A DISQUALIFIED PERSON AFTER THE LATER OF:

1. 3 YEARS FROM THE DATE OF THE DECEDENT'S DEATH; OR

2. IF THE ALLEGED DISQUALIFIED PERSON IS CRIMINALLY CHARGED WITHIN 3 YEARS FROM THE DATE OF THE DECEDENT'S DEATH WITH FELONIOUSLY AND INTENTIONALLY KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF THE DECEDENT, 1 YEAR FROM THE DATE THAT THE CRIMINAL CHARGE IS FILED.

(2) ON REQUEST OF A PARTY IN A CIVIL PROCEEDING IN WHICH A PERSON IS ALLEGED TO BE A DISQUALIFIED PERSON, THE CIVIL PROCEEDING SHALL BE STAYED PENDING A FINAL JUDGMENT IN A CASE IN WHICH THE ALLEGED DISQUALIFIED PERSON IS CRIMINALLY CHARGED WITH FELONIOUSLY AND INTENTIONALLY KILLING, CONSPIRING TO KILL, OR PROCURING THE KILLING OF THE DECEDENT.

(3) (I) FOR PURPOSES OF THIS SECTION, ONLY A PERSON WHO WOULD BE ENTITLED TO OBTAIN PROPERTY IF ANOTHER PERSON IS FOUND TO BE A DISQUALIFIED PERSON, OR THE PERSON’S REPRESENTATIVE, MAY PROVIDE NOTICE TO A THIRD PARTY THAT ANOTHER PERSON IS A DISQUALIFIED PERSON.

(II) FOR PURPOSES OF THIS SECTION, A PERSON DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH OR THE PERSON’S REPRESENTATIVE MAY NOT PROVIDE NOTICE TO A THIRD PARTY THAT A PERSON IS A DISQUALIFIED PERSON LATER THAN THE TIME FOR FILING A CIVIL ACTION DESCRIBED IN THIS SUBSECTION.”.

AMENDMENT NO. 6

On page 3, in lines 12, 18, and 32, strike “(E)”, “(F)”, and “(G)”, respectively, and substitute “**(F)(1)**”, “**(G)**”, and “**(H)**”, respectively.

On page 4, in line 1, strike “(H)” and substitute “**(J)**”.

AMENDMENT NO. 7

On page 3, after line 17, insert:

“(2) A THIRD PARTY, INCLUDING AN INSURANCE COMPANY, A BANK, OR ANY OTHER OBLIGOR, WHO FILES AN INTERPLEADER REGARDING AN AMOUNT OWED MAY NOT BE LIABLE TO AN ALLEGED DISQUALIFIED PERSON FOR WRONGFUL DISHONOR OR ANY OTHER CLAIM RELATING TO THE AMOUNT OWED.”.

AMENDMENT NO. 8

On page 3, in line 18, strike “PERSON” and substitute “**THIRD PARTY**”.

AMENDMENT NO. 9

On page 3, after line 36, insert:

“(1) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AN INTERESTED PERSON OR A NAMED BENEFICIARY OF A LIFE INSURANCE POLICY ON THE DECEDENT OR OTHER CONTRACTUAL ARRANGEMENT WITH THE DECEDENT MAY SEEK A DETERMINATION IN THE PROPER COURT, BY DECLARATORY JUDGMENT OR OTHERWISE, THAT THE PERSON OR NAMED BENEFICIARY IS NOT A DISQUALIFIED PERSON AND OTHER RELIEF.”

AMENDMENT NO. 10

On page 4, in line 2, after “KILLING” insert “, CONSPIRING TO KILL, OR PROCURING THE KILLING OF A DECEDENT IS ADMISSIBLE IN A CIVIL PROCEEDING IN WHICH A PERSON IS ALLEGED TO BE A DISQUALIFIED PERSON AND”.

AMENDMENT NO. 11

On page 4, in line 3, after “A” insert “FINAL”; strike beginning with the second “OF” in line 3 down through “KILLING” in line 4 and substitute “DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION”; in line 4, strike “COURT” and substitute “TRIER OF FACT IN A CIVIL PROCEEDING”; in line 5, strike “THE KILLING WAS FELONIOUS AND INTENTIONAL” and substitute “A PERSON FELONIOUSLY AND INTENTIONALLY KILLED, CONSPIRED TO KILL, OR PROCURED THE KILLING OF THE DECEDENT”; and after line 6, insert:

“(3) NOTHING IN THIS SECTION AFFECTS A RIGHT TO A JURY TRIAL WHICH OTHERWISE EXISTS.”

The preceding 11 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1138)

AMENDED IN THE HOUSE

Senate Bill 505 – Senator Zirkin

AN ACT concerning

Criminal Procedure – Bail Bonds – Cash Bail

Senator Frosh moved that the Senate concur in the House amendment.

SB0505/582810/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 505

(Third Reading File Bill)

On page 1, in line 4, after “defendant” insert “, by an individual,”.

On page 2, in line 10, after “DEFENDANT” insert “, BY AN INDIVIDUAL,”.

On page 3, in line 15, after “DEFENDANT” insert “, BY AN INDIVIDUAL,”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1139)

AMENDED IN THE HOUSE

Senate Bill 624 – Senator Pugh (Commission on Maryland Cybersecurity Innovation and Excellence)

AN ACT concerning

Identity Fraud – ~~Medical~~ Health Information and Health Care Records

Senator Frosh moved that the Senate concur in the House amendment.

SB0624/522819/1

BY: House Judiciary Committee

AMENDMENT TO SENATE BILL 624

(Third Reading File Bill)

On page 4, in line 13, strike “**MEDICAL**” and substitute “**HEALTH**”; and line 14, strike “**SERVICES**” and substitute “**HEALTH CARE**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1140)

CONCURRENCE CALENDAR #20

AMENDED IN THE HOUSE

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

Senator Kasemeyer moved that the Senate concur in the House amendment.

SB0477/414660/1

BY: Appropriations Committee

AMENDMENT TO SENATE BILL 477

(Third Reading File Bill)

On page 11, in line 20, after “**BASIS**” insert a comma.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 44 Negative – 0 (See Roll Call No. 1141)

CONCURRENCE CALENDAR #21**AMENDED IN THE HOUSE**

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~~ Zirkin, Montgomery, Gladden, Kasemeyer, Jones–Rodwell, Manno, McFadden, Muse, and Peters

AN ACT concerning

Election Law – Improving Access to Voting

Senator Kittleman moved, duly seconded, to make the Bill a Special Order for April 8, 2013.

The motion was adopted.

CONCURRENCE CALENDAR #18**AMENDED IN THE HOUSE**

Senate Bill 686 – Senator Garagiola

AN ACT concerning

Family Investment Program – Earned Income Disregard Pilot Program

Senator Middleton moved that the Senate not concur in the House amendments.

SB0686/954567/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 686

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, strike “number of counties for participation” and substitute “type of county to participate”; in line 6, after “Program;” insert “requiring the Department of Human Resources to select and inform participants; specifying certain eligibility requirements for participation in the program;”; in the same line, strike “a”

and substitute “the”; and in line 12, after “term;” insert “providing for a delayed effective date;”.

AMENDMENT NO. 2

On page 2, in line 19, after “(C)” insert “(1)”; in the same line, after “SELECT” insert “ONE COUNTY THAT HAS MORE THAN ONE DISTRICT OFFICE”; strike beginning with the colon in line 20 down through “COUNTY” in line 22; after line 22, insert:

“(2) THE DEPARTMENT SHALL:

(I) SELECT AND ASSIGN ELIGIBLE INDIVIDUALS TO THE PILOT PROGRAM; AND

(II) INFORM SELECTED PARTICIPANTS OF THE ASSIGNMENT.

(3) TO BE ELIGIBLE TO PARTICIPATE IN THE PILOT PROGRAM AN INDIVIDUAL:

(I) MAY NOT RECEIVE TEMPORARY CASH ASSISTANCE BETWEEN MAY 1, 2014 AND SEPTEMBER 30, 2014; AND

(II) SHALL APPLY AND QUALIFY FOR TEMPORARY CASH ASSISTANCE ON OR AFTER OCTOBER 1, 2014.”;

and in line 24, strike “COUNTIES” and substitute “COUNTY”.

AMENDMENT NO. 3

On page 2, in line 27, strike “PILOT PROGRAM” and substitute “FIP”; and after line 29 insert:

“(2) NOTWITHSTANDING § 5-310(A) OF THIS SUBTITLE, FOR ELIGIBLE RECIPIENTS WHO OBTAIN UNSUBSIDIZED EMPLOYMENT AND WORK LESS THAN 25 HOURS A WEEK, THE AMOUNT OF ASSISTANCE SHALL BE COMPUTED BY COUNTING NO MORE THAN 4 WEEKS OF EARNED INCOME IN ANY MONTH AND DISREGARDING 40% OF THAT EARNED INCOME.”.

AMENDMENT NO. 4

On page 3, in line 1, strike “(2)” and substitute “(3)”; and in line 2, strike “EMPLOYMENT” and substitute “EMPLOYMENT AND WORK AT LEAST 25 HOURS A WEEK”.

AMENDMENT NO. 5

On page 3, in line 20, strike “2015” and substitute “2016”; and in line 25, strike “2016” and substitute “2017”.

AMENDMENT NO. 6

On page 4, in line 2, strike “2013” and substitute “2014”; and in line 3, strike “2016” and substitute “2017”.

The preceding 6 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0686

SPONSOR: Sen Garagiola

SUBJECT: Family Investment Program – Earned Income Disregard Pilot Program

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Garagiola, Chairman

Senator Glassman

Senator Klausmeier.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

CONCURRENCE CALENDAR #22

AMENDED IN THE HOUSE

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~~

Senator Conway moved that the Senate not concur in the House amendments.

SB0226/294262/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 226

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Regents” insert “– Length and Limitations of Terms and Residency Requirement”; strike beginning with “altering” in line 4 down through “University;” in line 5; in lines 5 and 6, strike “certain members” and substitute “a member”; in line 6, after “Board” insert “of Regents of Morgan State University”; in line 8, strike “may be” and substitute “are not”; in the same line, strike “other states” and substitute “Maryland”; and in line 9, after the first “the” insert “terms and residency of”.

AMENDMENT NO. 2

On page 2, in line 12, strike “**(E)(2)**” and substitute “**(d)(2)**”; strike in their entirety lines 14 through 25, inclusive; in line 26, strike “**(E)**” and substitute “**(d)**”; strike beginning with “**AND**” in line 26 down through “**SECTION**” in line 27; in line 31, after “**(II)**” insert “**1.**”; in the same line, strike “**A**” and substitute “**EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, A**”; and after line 32, insert:

“2. THIS SUBPARAGRAPH DOES NOT APPLY TO A MEMBER WHO IS AN ELECTED OFFICIAL.”

AMENDMENT NO. 3

On page 3, strike beginning with “AND” in line 2 down through “SECTION” in line 3; in line 3, strike “THREE” and substitute “4”; in line 8, strike “(F)” and substitute “(e)”; in line 12, after “That” insert “, except for”; in line 13, after “University” insert “who is an elected official, a member”; after line 15, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the residency requirement in § 14–102(d)(2) of the Education Article, as enacted by this Act, does not apply to a member of the Board of Regents of Morgan State University who was appointed on or before December 31, 2012.”;

and in line 16, strike “3.” and substitute “4.”.

The preceding 3 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0226

SPONSOR: Sen Pugh, et al

SUBJECT: Morgan State University – Board of Regents

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Dyson, Chairman

Senator Reilly

Senator Conway.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 24	Sen. Pipkin	Queen Anne's County – Deer Hunting on Private Property – Sundays
SB 39	Sen. Colburn	Motor Vehicle Registration – Special Vintage Reproduction Registration Plate
SB 53	Chair, EHE Com.	Department of Agriculture – Administrative Review of Contested Cases
SB 60	Chair, EHE Com.	Cmnty Dev Admin – Resid Mtge Loans – Financial Assistance for Fams of Ltd Incm
SB 61	Chair, EHE Com.	Environment – Public Hearings – Notice Requirement
SB 62	Chair, EHE Com.	Community Legacy Program – Application Requirements – Approval by Authorized Designee
SB 64	Chair, EHE Com.	Controlled Hazardous Substance Vehicles – Display of Certificates
SB 73 (Emergency Bill)	Ch., Jud. Proceed.	Veh Laws – Piling, Poles, Mill Logs, and Similar Cargo – Length, Overhang, and Fastening Standards
SB 75	Ch., Jud. Proceed.	Motor Vehicle Administration – Investigative Division – Issuance of Citations
SB 180	Chair, EHE Com.	Department of Agriculture – State Chemist Fund
SB 302	Sen. Glassman	Environment – Water Pollution Control – Reporting
SB 431	Sen. King	Higher Education – University System of Maryland – Quasi-Endowments
SB 464 (Emergency Bill)	Sen. Klausmeier	Natural Resources – Aquaculture – Shellfish Nursery Permits
SB 486	Sen. Brinkley	Short-Term Rental of

SB 600	Sen. Garagiola	Motorcycles – Sales and Use Tax and Motor Vehicle Law Vehicle Laws – Electric Vehicles
SB 621	Sen. Raskin	Vehicles Laws – Emergency Vehicles – Motorcades and Escorts
SB 715	Sen. Ramirez	Maryland Highway Safety Act of 2013
SB 1001	Sen. Ramirez	Family Law – Protective Orders – Notification of Service – Sunset Extension

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 789 – Delegates Ivey, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Braveboy, Carr, Carter, Conaway, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Griffith, Gutierrez, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Hucker, Jones, Kaiser, A. Kelly, Kramer, Lee, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Murphy, Nathan-Pulliam, Niemann, Oaks, Pena-Melnyk, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Stukes, Summers, Swain, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, A. Washington, M. Washington, and Zucker

AN ACT concerning

~~Vehicle Laws – Lawful Status Requirement – Repeal~~ (Maryland Highway Safety Act of 2013)

FOR the purpose of ~~repealing a requirement that an applicant for issuance or renewal of an identification card, a moped operator's permit, or a license to drive provide certain evidence of the applicant's lawful status in the United States and certain evidence relating to a Social Security number; repealing certain provisions of law relating to the acceptability, by federal agencies for certain official purposes, of an identification card, a moped operator's permit, or a license to drive issued by the Motor Vehicle Administration; repealing requirements that the Administration establish a certain security plan and adopt certain regulations; repealing certain defined terms; providing for the repeal of laws inconsistent with this Act; 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 identification cards, moped operators' permits, and licenses to drive issued or renewed by the Motor Vehicle Administration~~ 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; requiring a certain applicant for an identification card, a moped operator's permit, or a driver's license to provide certain evidence that the applicant has filed certain Maryland income tax returns or has resided in Maryland for a certain period of time and been claimed as a dependent on certain Maryland income tax returns; 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; requiring that certain identification cards, moped operators' permits, and drivers' licenses include a certain statement; 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; providing for a delayed effective 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~~

~~Article — Transportation
Section 11-127.1, 11-165.1, and 16-121 through 16-123
Annotated Code of Maryland
(2012 Replacement Volume)~~

~~BY repealing and reenacting, with amendments,~~

~~Article — Transportation
Section 12-301(a) and (i), 16-103.1, 16-104.2, 16-106, and 16-115(a)
Annotated Code of Maryland
(2012 Replacement Volume)~~

~~BY repealing~~

~~Chapter 390 of the Acts of the General Assembly of 2009
Section 3~~

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 Rules.

House Bill 929 – Delegates Malone ~~and McMillan~~, McMillan, and Conaway

AN ACT concerning

Motor Vehicles – Speed Monitoring Systems – Local Jurisdictions

FOR the purpose of ~~clarifying that a certain warning period for violations recorded by speed monitoring systems operated by local jurisdictions begins when the first speed monitoring system in the jurisdiction is in use~~ altering the standards and requirements for the required warning period for violations recorded by speed monitoring systems; establishing that speed monitoring systems placed in certain areas may only be placed on highways with a certain minimum speed limit; applying certain notice and signage standards for unmanned local stationary speed monitoring systems to all local ~~stationary~~ speed monitoring systems; altering the standards for signage required for local stationary speed monitoring systems; requiring certain local jurisdictions to designate certain persons to act in a certain liaison capacity; altering the standards and requirements for daily self-tests and annual calibrations for speed monitoring systems; requiring certain local jurisdictions to designate a certain program administrator; requiring a contract for a certain speed monitoring system to include certain provisions; establishing certain training requirements; clarifying that a certificate alleging that a certain speeding violation occurred is required to be sworn to or affirmed by a certain law enforcement officer; expanding the application of the prohibition against a speed monitoring system contractor's fee being contingent on the number of citations issued or paid; providing that, except under certain circumstances, existing obligations, contracts, or contract rights may not be impaired by this Act; defining certain terms; and generally relating to speed monitoring systems operated by local jurisdictions.

BY repealing and reenacting, with amendments,

Article – Transportation
Section 21–809
Annotated Code of Maryland
(2012 Replacement Volume)

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

THE COMMITTEE ON BUDGET AND TAXATION REPORT #28

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 115 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

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:

House Bill 386 – Delegates Barve, Branch, Bromwell, Cardin, Hixson, Ivey, Luedtke, A. Miller, Mitchell, Serafini, and F. Turner

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts and Small Business Refund

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:

House Bill 803 – Chair, Ways and Means Committee (By Request – Departmental – Business and Economic Development)

AN ACT concerning

Income Tax – Business and Economic Development – Cybersecurity Investment Incentive Tax Credit

HB0803/369135/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 803

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 24, strike “limiting the maximum amount of initial credit certificates”.

On page 2, strike beginning with “that” in line 1 down through “Fund;” in line 4.

AMENDMENT NO. 2

On page 7, strike in their entirety lines 14 through 22, inclusive, and substitute:

“(3) IF THE TAX CREDIT ALLOWED UNDER THIS SECTION IN ANY TAXABLE YEAR EXCEEDS THE TOTAL TAX OTHERWISE PAYABLE BY THE QUALIFIED INVESTOR FOR THAT TAXABLE YEAR, THE QUALIFIED INVESTOR MAY CLAIM A REFUND IN THE AMOUNT OF THE EXCESS.”

AMENDMENT NO. 3

On page 9, strike beginning with “FISCAL” in line 9 down through “THEREAFTER” in line 10 and substitute “EACH FISCAL YEAR”; and in line 20, strike “AND IN PARAGRAPH (5) OF THIS SUBSECTION”.

On page 10, strike in their entirety lines 7 through 14, inclusive.

The preceding 3 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 with amendments:

House Bill 964 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Luedtke, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Community Colleges – ~~Cade Funding Formula~~ – Grants for English for Speakers of Other Languages Programs – Repeal of Total Amount Limitation

HB0964/269134/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 964

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “– Repeal of Total Amount Limitation”; and in line 4, strike “removing” and substitute “increasing”.

AMENDMENT NO. 2

On page 2, in lines 12, 13, 16, 21, and 28, in each instance, strike the bracket; in line 13, strike "**THE**"; in lines 17, 19, and 21, in each instance, strike "\$6,000,000" and substitute "**\$8,000,000**"; and in line 29, strike "**FOR**".

On page 3, in lines 13, 17, 18, and 21, in each instance, strike the bracket; in line 14, strike "**THE**"; in line 18, strike "**\$1,000,000**" and substitute "**\$1,333,000**"; and in line 21, strike "**FOR**".

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 BUDGET AND TAXATION REPORT #29

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

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

SB0203/559134/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 203

(First Reading File Bill)

AMENDMENT NO. 1

On page 3, in lines 10 and 24, in each instance, strike "**\$9,000,000**" and substitute "**\$4,000,000**".

AMENDMENT NO. 2

On page 6, in line 29, strike “2013” and substitute “2012”.

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 EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #61**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

**Senate Bill 1065 – Senator Raskin (Chair, Workgroup to Conduct a Review of
Disclosure Requirements of the Public Ethics Laws)**

AN ACT concerning

**Public Ethics – Public Officials, Local Governments, and Lobbyists –
Training, Reporting, and Enforcement**

SB1065/374837/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 1065
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, after “Laws)” insert “and Senators Ferguson and Simonaire”; in line 4, after “of” insert “requiring the State Ethics Commission to adopt certain model ethics provisions for school boards; providing that a model provision may be adopted by or imposed on a school board under certain circumstances; authorizing the State Ethics Commission to include certain limits on the disclosure of certain information in certain model ethics provisions;”; in line 7, after “Committee;” insert “prohibiting the Department of Legislative Services from posting certain information on the Internet;”; in the same line, after “requiring” insert “that”; in line 8, strike “to”; in the same line, strike “time”; and in line 23, after “15–513(b)” insert “and (d)”.

On page 2, in line 2, strike “and (d)”.

AMENDMENT NO. 2

On page 2, in line 22, after “(2)” insert:

“(I) THIS PARAGRAPH APPLIES ONLY TO A MUNICIPAL CORPORATION WITH A POPULATION LESS THAN THE POPULATIONS OF 60% OF MUNICIPAL CORPORATIONS IN THE STATE AS REPORTED IN THE LAST DECENNIAL CENSUS.

“(II) THE MODEL PROVISIONS THAT THE ETHICS COMMISSION ADOPTS UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE PROVISIONS THAT LIMIT THE DISCLOSURE OF AN ELECTED LOCAL OFFICIAL’S OR CANDIDATE’S INTEREST IN CORPORATIONS, PARTNERSHIPS, LIMITED LIABILITY PARTNERSHIPS, OR LIMITED LIABILITY COMPANIES TO INCLUDE ONLY THOSE CORPORATIONS, PARTNERSHIPS, LIMITED LIABILITY PARTNERSHIPS, OR LIMITED LIABILITY COMPANIES THAT DO BUSINESS WITH OR ARE REGULATED BY THE MUNICIPAL CORPORATION.

(3)”.

AMENDMENT NO. 3

On page 4, in line 22, after “to” insert “:

(I)”;

and in line 23, after “section” insert “**;** **OR**

“(II) AN ADDRESS FOR AN EMPLOYER OR BUSINESS ENTITY OR A SPOUSE REPORTED UNDER SUBSECTION (B)(1)(IV) OF THIS SECTION”.

AMENDMENT NO. 4

On page 7, strike in their entirety lines 19 through 21, inclusive; in lines 22, 24, and 26, strike “(6)”, “(7)”, and “(8)”, respectively, and substitute “**(5)**”, “**(6)**”, and “**(7)**”, respectively.

The preceding 4 amendments were read only.

Senator Kelley moved, duly seconded, to make the Bill and Amendments a Special Order for April 8, 2013.

The motion was rejected by a roll call vote as follows:

Affirmative – 6 Negative – 33 (See Roll Call No. 1142)

The preceding 4 committee amendments were 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:

House Bill 224 – The Speaker (By Request – Administration) and Delegates Reznik, Barve, Bobo, Carr, Clagett, Davis, Dumais, Frick, Guzzone, Hucker, Lafferty, Luedtke, McHale, Mitchell, Rosenberg, Simmons, Tarrant, ~~and M. Washington~~ M. Washington, and Howard Howard, and Cardin

AN ACT concerning

Election Law – Improving Access to Voting

HB0224/454231/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 224

(Third Reading File Bill)

On page 10, in line 23, after the first “OF” insert “:”

(I)”;

and in line 25, after “TOOLS” insert “: OR

(II) § 9–102(D)(1)(III) OF THIS TITLE”.

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:

**House Bill 1353 – Delegates Oaks, Branch, Carter, ~~and Vaughn Vaughn,~~
Tarrant, V. Turner, Nathan-Pulliam, Pendergrass, Pena-Melnyk, and
Morhaim**

AN ACT concerning

Minority Business Enterprises – Participation and Goals and Subgoals

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:

**House Bill 1397 – Delegate Bobo (Chair, Workgroup to Conduct a Review of
Disclosure Requirements of the Public Ethics Laws)**

AN ACT concerning

~~**Joint Ethics Committee – Reporting Requirements – Employment and
Sources of Earned Income**~~
**Public Ethics – Public Officials, Local Governments, and Lobbyists –
Training, Reporting, and Enforcement**

HB1397/954331/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 1397

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “circumstances;” insert “authorizing the State Ethics Commission to include certain limits on the disclosure of certain information in certain model ethics provisions;”.

On page 2, in line 12, strike “and (d)”.

AMENDMENT NO. 2

On page 2, in line 32, after “(2)” insert “**(I) THIS PARAGRAPH APPLIES ONLY TO A MUNICIPAL CORPORATION WITH A POPULATION LESS THAN THE**”

POPULATIONS OF 60% OF MUNICIPAL CORPORATIONS IN THE STATE AS REPORTED IN THE LAST DECENNIAL CENSUS.

(II) THE MODEL PROVISIONS THAT THE ETHICS COMMISSION ADOPTS UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY INCLUDE PROVISIONS THAT LIMIT THE DISCLOSURE OF AN ELECTED LOCAL OFFICIAL’S OR CANDIDATE’S INTEREST IN CORPORATIONS, PARTNERSHIPS, LIMITED LIABILITY PARTNERSHIPS, OR LIMITED LIABILITY COMPANIES TO INCLUDE ONLY THOSE CORPORATIONS, PARTNERSHIPS, LIMITED LIABILITY PARTNERSHIPS, OR LIMITED LIABILITY COMPANIES THAT DO BUSINESS WITH OR ARE REGULATED BY THE MUNICIPAL CORPORATION.

(3)”.

AMENDMENT NO. 3

On page 8, strike in their entirety lines 1 through 3, inclusive; and in lines 4, 6, and 8, strike “(6)”, “(7)”, and “(8)”, respectively, and substitute “(5)”, “(6)”, and “(7)”, respectively.

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:

House Bill 1429 – Chair, Environmental Matters Committee (By Request – Departmental – Health and Mental Hygiene)

AN ACT concerning

~~State Ethics – Former State~~ Department of Health and Mental Hygiene – Former Officials and Employees – Employment

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:

House Bill 1524 – Baltimore County Delegation (~~By Request~~)

AN ACT concerning

**Election Law – Baltimore County Democratic Party Central Committee –
Membership**

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:

House Bill 1531 – Delegate O’Donnell

AN ACT concerning

**Election Law – Prince George’s County Republican Party Central Committee
– Membership**

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

**THE COMMITTEE ON EDUCATION, HEALTH, AND ENVIRONMENTAL
AFFAIRS REPORT #62**

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs reported favorably with amendments:

House Bill 139 – ~~Delegate O’Donnell~~ Delegates O’Donnell and Krebs

AN ACT concerning

~~Training for Public~~ Open Meetings Act – Training for Public Bodies

HB0139/544833/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 139
(Third Reading File Bill)

On page 2, in line 6, strike the colon.

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 and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 508 – Delegates Carr, Hucker, Niemann, and Reznik

AN ACT concerning

Environment – Local Stormwater Management Charges – State Property

HB0508/704336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 508
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Management Charges – State Property” and substitute “Remediation Fee – Limitation and Workgroup”; strike beginning with “providing” in line 15 down through “date” in line 24 and substitute “limiting the amount of a certain stormwater remediation fee assessed on property owned by a certain charitable nonprofit group or organization; establishing the Workgroup to Study Current Stormwater Management and Remediation Actions for State and Local Property; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study certain matters and make a certain determination; requiring the Workgroup to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act”; in line 25, after “to” insert “local”; and in the same line, after “management” insert “and remediation”.

On page 2, in line 8, strike “and (f)(1)”.

AMENDMENT NO. 2

On page 5, in line 7, strike “Except as provided in” and substitute “SUBJECT TO”; in lines 7, 11, 22, and 33, in each instance, strike the bracket; in line 7, strike “PARAGRAPHS”; in the same line, strike “AND (3)”; in line 11, after “(2)” insert “(1)”; after line 14, insert:

“(II) A STORMWATER REMEDIATION FEE ASSESSED UNDER THIS SECTION ON PROPERTY OWNED BY A CHARITABLE NONPROFIT GROUP OR ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OR (D) OF THE INTERNAL REVENUE CODE MAY NOT EXCEED \$250 PER 1/2 ACRE OF IMPERVIOUS SURFACE.”;

strike in their entirety lines 15 through 21, inclusive; and in lines 22 and 33, strike “(4)” and “(5)”, respectively.

On page 6, strike in their entirety lines 3 through 10, inclusive.

AMENDMENT NO. 3

On page 6, after line 10, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup to Study Current Stormwater Management and Remediation Actions for State and Local Property.

(b) The Workgroup consists of the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of the Environment, or the Secretary’s designee;

(4) the Secretary of Budget and Management, or the Secretary’s designee;

(5) two representatives of the Maryland Municipal League, appointed by the Maryland Municipal League; and

(6) two representatives of the Maryland Association of Counties, appointed by the Maryland Association of Counties.

(c) The members of the Workgroup shall elect a chair from among its members.

(d) The Department of the Environment shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) study stormwater management and remediation actions currently undertaken for property owned by units of State, county, and municipal government; and

(2) determine whether it is appropriate for local governments to impose a stormwater remediation fee on property owned by units of State, county, and municipal government.

(g) On or before December 31, 2013, the Workgroup shall report its findings and recommendations to the General Assembly in accordance with § 2-1246 of the State Government Article.”;

in line 11, strike “2.” and substitute “3.”; and in line 12, strike “July 1, 2014” and substitute “June 1, 2013. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of May 31, 2014, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect”.

The preceding 3 amendments were read only.

Senator Conway moved, duly seconded, to make the Bill and Amendments a Special Order for April 8, 2013.

The motion was adopted.

Senator Conway, Chair, for the Committee on Education, Health, and Environmental Affairs and Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 526 – Delegates Summers, Cane, Clippinger, Frush, Gaines, Haynes, Hubbard, Ivey, Mitchell, Niemann, Stein, ~~and Walker~~ Walker, and Howard

AN ACT concerning

Higher Education – Maryland First Scholarship – Creation and Funding

HB0526/484535/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 526

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 12, strike “a certain fund;” and substitute “the Maryland First Scholarship Fund; specifying the purpose of the Fund;”; in lines 13 and 17, in each instance, strike “a certain fund” and substitute “the Fund”; in lines 13, 16, 18, and 21, in each instance, strike “fund” and substitute “Fund”; in lines 19 and 20, strike “a certain fund” and substitute “the Fund”; in line 19, after “manner;” insert “specifying the contents of the Fund; specifying the purposes for which the Fund may be used;”; in the same line, strike “funds” and substitute “money”; and in line 23, before “defining” insert “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;”.

On page 2, after line 18, insert:

“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)”.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 7 and 8 and substitute:

“(2) THE PURPOSE OF THE FUND IS TO PROVIDE MONEY FOR SCHOLARSHIP AWARDS UNDER THIS SECTION AND FOR ADMINISTRATIVE EXPENSES INCURRED BY THE COMMISSION IN MAKING SCHOLARSHIP AWARDS UNDER THIS SECTION.”;

after line 24, insert:

“(8) THE FUND CONSISTS OF:

(I) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(II) GIFTS OR GRANTS RECEIVED BY THE COMMISSION FOR THE FUND;

(III) INVESTMENT EARNINGS OF THE FUND; AND

(IV) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(9) THE FUND MAY BE USED ONLY FOR:

(I) MAKING SCHOLARSHIP AWARDS UNDER THIS SECTION;
AND

(II) ADMINISTRATIVE EXPENSES INCURRED BY THE COMMISSION IN MAKING SCHOLARSHIP AWARDS UNDER THIS SECTION.”;

and in lines 25 and 27, strike “(8)” and “(9)”, respectively, and substitute “(10)” and “(11)”, respectively.

AMENDMENT NO. 3

On page 7, after line 2, insert:

“Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

69. the Maryland Legal Services Corporation Fund; [and]

70. Mortgage Loan Servicing Practices Settlement Fund;

AND

71. THE MARYLAND FIRST SCHOLARSHIP FUND.”.

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:

House Bill 1338 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Juvenile Court and School Safety Workgroup
PG 306–13**

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:

House Bill 1390 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs) and Delegates Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnik, Pendergrass, Ready, Tarrant, and V. Turner

AN ACT concerning

Maryland Veterans Trust and Fund – Establishment

HB1390/694036/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENT TO HOUSE BILL 1390

(Third Reading File Bill)

On page 1, in line 18, after “contingency;” insert “requiring a certain balance in a certain fund to transfer to a certain fund on a certain date;”.

On page 10, after line 6, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That any balance remaining in the Maryland Veterans Trust Fund in the Department of Veterans Affairs at the end of June 30, 2013, shall transfer on July 1, 2013, to the Maryland Veterans Trust Fund established by Section 1 of this Act.”;

and in line 7, strike "5." 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.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 153 – Delegates Anderson, Vallario, Clippinger, Cluster, Conaway, Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valderrama

AN ACT concerning

Office of the Public Defender – Representation at Bail Hearing – Provisional

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (2) AND THE FAVORABLE REPORT.

HB0153/688379/2

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 153

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike "a"; and in line 7, strike "exception" and substitute "exceptions".

AMENDMENT NO. 2

On page 2, in line 33, after "HEARING" insert "OR HAS BEEN DETERMINED ELIGIBLE FOR REPRESENTATION AFTER INDEPENDENT SUPERVISORY APPROVAL UNDER THIS TITLE BASED ON THE NEED OF THE INDIVIDUAL, INCLUDING A DETERMINATION OF:

A. THE NATURE, EXTENT, AND LIQUIDITY OF ASSETS OF THE INDIVIDUAL;

- B. THE DISPOSABLE NET INCOME OF THE INDIVIDUAL;**
- C. THE NATURE OF THE OFFENSE CHARGED;**
- D. THE LENGTH AND COMPLEXITY OF THE PROCEEDINGS;**
- E. THE EFFORT AND SKILL REQUIRED TO GATHER PERTINENT INFORMATION; AND**
- F. ANY OTHER FORESEEABLE EXPENSE”.**

The preceding 2 amendments were read and adopted.

Senator Frosh moved, duly seconded, to make the Bill and Report a Special Order for April 8, 2013.

The motion was adopted.

QUORUM CALL

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

(See Roll Call No. 1143)

ADJOURNMENT

At 8:17 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 10:00 A.M. on Legislative Day April 2, 2013, Calendar Day, Monday, April 8, 2013.

Annapolis, Maryland
Legislative Day: April 2, 2013
Calendar Day: Monday, April 8, 2013
10:00 A.M. Session

The Senate met at 10:17 A.M.

Prayer by Reverend Shawn Wilson, Goshen United Methodist Church, guest of Senator King.

(See Exhibit A of Appendix III)

The Journal of April 1, 2013 was read and approved.

QUORUM CALL

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

(See Roll Call No. 1145)

CONFERENCE COMMITTEE REPORT

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL 101 –
THE CAPITAL BUDGET BILL

(See Exhibit K of Appendix III)

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1146)

The Bill was then sent to the House of Delegates.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (SENATE BILLS) #66

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1147)

The Bill was then sent to the House of Delegates.

Senate Bill 799 – Senators Middleton, Astle, Conway, and Garagiola

AN ACT concerning

~~**Energy – Landfill Diversion – Municipal Solid Waste Portfolio Standard**~~
Environment – Solid Waste Management Practices – Maryland Recycling and Landfill Diversion Task Force

Read the third time and passed by yeas and nays as follows:

Affirmative – 32 Negative – 15 (See Roll Call No. 1148)

The Bill was then sent to the House of Delegates.

Senate Bill 826 – Senators Kittleman and Robey

AN ACT concerning

Open Meetings Act – Violations and Penalties

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1149)

The Bill was then sent to the House of Delegates.

Senate Bill 896 – Senator Conway

AN ACT concerning

State Board of Pharmacy – Sterile Compounding – Permits

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1150)

The Bill was then sent to the House of Delegates.

Senate Bill 1065 – Senator Raskin (Chair, Workgroup to Conduct a Review of Disclosure Requirements of the Public Ethics Laws) and Senators Ferguson and Simonaire

AN ACT concerning

Public Ethics – Public Officials, Local Governments, and Lobbyists – Training, Reporting, and Enforcement

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1151)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #33

House Bill 264 – Chair, Judiciary Committee (By Request – Departmental – Juvenile Services)

AN ACT concerning

Juvenile Law – Juvenile Records – Disclosure

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 1 (See Roll Call No. 1152)

The Bill was then sent to the House of Delegates.

House Bill 291 – Delegate Feldman

AN ACT concerning

Real Property – ~~Stopping Fraud in Maryland~~ Mortgage Assistance Relief Services Act ~~of 2013~~

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1153)

The Bill was then sent to the House of Delegates.

House Bill 311 – Delegates K. Kelly, Arora, Clippinger, Cluster, Conaway, Dumais, Hough, Lee, McComas, McDermott, Mitchell, Simmons, Valderrama, ~~and Valentino-Smith~~ Valentino-Smith, and Howard

AN ACT concerning

Crimes – Requirement to Report Death or Disappearance of Minor – Penalties

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1154)

The Bill was then sent to the House of Delegates.

House Bill 430 – Chair, Judiciary Committee (By Request – Departmental – Transportation)

AN ACT concerning

Criminal Law – Alcoholic Beverages – Consumption and Possession in Motor Vehicles

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1155)

The Bill was then sent to the House of Delegates.

House Bill 563 – Delegate Dumais

AN ACT concerning

Adoption – Payment of Expenses

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1156)

The Bill was then sent to the House of Delegates.

House Bill 680 – Delegates Hogan, Clagett, Jacobs, O’Donnell, Otto, Schulz, Vitale, Weir, and Wilson

AN ACT concerning

~~**Vehicle Registration – Exception for All Terrain and Utility Terrain Vehicles – Use in Public Service**~~
Vehicle – Unregistered Emergency Vehicles – Operating on Highways

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1157)

The Bill was then sent to the House of Delegates.

House Bill 687 – Delegates ~~Dumais, Carter~~ Carter, Dumais, Anderson, Clippinger, Conaway, McComas, Mitchell, B. Robinson, Smigiel, Valderrama, Valentino-Smith, and Waldstreicher

AN ACT concerning

Commission on Child Custody Decision Making

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1158)

The Bill was then sent to the House of Delegates.

House Bill 786 – Delegates Carter, Anderson, Braveboy, and M. Washington

AN ACT concerning

Juvenile Law – ~~Jurisdiction and Detention~~ Task Force on Juvenile Court Jurisdiction

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 1159)

The Bill was then sent to the House of Delegates.

House Bill 829 – Delegates M. Washington, B. Robinson, A. Kelly, Anderson, Barve, Bobo, Braveboy, Carr, Carter, Clippinger, Conaway, Cullison, Dumais, Frush, Glenn, Griffith, Gutierrez, Hixson, Huckler, Jones, Kaiser, Lee, Luedtke, McComas, McIntosh, A. Miller, Mizeur,

Pena–Melnyk, Reznik, S. Robinson, Rosenberg, Summers, and Waldstreicher

AN ACT concerning

Correctional Services – Pregnant Detainees and Inmates – Restraint Restrictions ~~and Reporting~~

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1160)

The Bill was then sent to the House of Delegates.

House Bill 857 – Delegate Waldstreicher

AN ACT concerning

Estates and Trusts – Posthumously Conceived Child

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1161)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #34

House Bill 909 – Delegates Valentino–Smith, Clippinger, Swain, and Valderrama

AN ACT concerning

Criminal Procedure – Venue for Prosecution of Murder and Manslaughter

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1162)

The Bill was then sent to the House of Delegates.

House Bill 916 – Delegates Valentino–Smith, M. Washington, Braveboy, Carter, Dumais, Gaines, Hucker, Lee, Rosenberg, Simmons, Swain, Valderrama, and Waldstreicher

AN ACT concerning

Juvenile Law – Dispositions – Placement Guidance

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1163)

The Bill was then sent to the House of Delegates.

House Bill 933 – Delegates Lee, Aumann, Bobo, DeBoy, Dumais, Eckardt, Frick, Glass, Glenn, Gutierrez, Guzzone, A. Kelly, Krebs, Luedtke, McComas, McDonough, Morhaim, Pendergrass, S. Robinson, F. Turner, Valderrama, and M. Washington

AN ACT concerning

Crimes – Human Trafficking of Minor – Defense of Ignorance of Victim’s Age

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1164)

The Bill was then sent to the House of Delegates.

House Bill 941 – Delegates Arora and DeBoy

~~EMERGENCY BILL~~

AN ACT concerning

Criminal Law – Fraudulent Liens – Prohibition

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1165)

The Bill was then sent to the House of Delegates.

House Bill 1101 – Delegates Morhaim, Glenn, Hammen, Pendergrass, Elliott, McIntosh, Hixson, Barve, Branch, Feldman, Tarrant, Barnes, Cane, McHale, Malone, F. Turner, Kach, Clagett, Cluster, Hubbard, Aumann, Lafferty, Frank, Rosenberg, Ivey, Glenn, Love, Stein, Vaughn, Haynes, Gutierrez, Carr, Cullison, Stukes, Bobo, Cardin, M. Washington, A. Kelly, Reznik, Kramer, Gilchrist, Frush, B. Robinson, Valderrama, Donoghue, Zucker, Weir, Conaway, Carter, Wilson, Glass, Oaks, Luedtke, S. Robinson, Mizeur, Niemann, Summers, A. Miller, Murphy,

V. Turner, Nathan Pulliam, Minnick, ~~and Arora~~ Arora, Holmes, Kaiser, Boteler, Smigiel, Braveboy, Hucker, and Lee

SECOND PRINTING

AN ACT concerning

~~**Medical Marijuana – Academic Medical Centers**~~
**Medical Marijuana – Academic Medical Centers –
Natalie M. LaPrade Medical Marijuana Commission**

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 1130 – Delegate Barnes

AN ACT concerning

Labor and Employment – Lien for Unpaid Wages – Establishment

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 8 (See Roll Call No. 1166)

The Bill was then sent to the House of Delegates.

House Bill 1220 – Delegates Swain, Carter, Valderrama, Valentino-Smith, and Vallario

AN ACT concerning

Invalidation and Destruction of Unexecuted Warrant, Summons, or Other Criminal Process – Failure to Appear Designation

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1167)

The Bill was then sent to the House of Delegates.

House Bill 1250 – Delegates Valderrama, Clippinger, and Valentino-Smith

AN ACT concerning

Crimes – Threat of Mass Violence

Senator Muse moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 1408 – Delegates Cullison, Dumais, Gutierrez, Luedtke, Mitchell, Olszewski, Rosenberg, Swain, Valderrama, and Zucker

AN ACT concerning

Family Law – Criminal History Records Checks – Student Teachers

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1168)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #35

CONSENT CALENDAR #16

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 56	Del. Smigiel	State Board of Professional Counselors and Therapists – Criminal History Records Checks	EHE
HB 207 (AMENDED)	Del. Luedtke	Education – Chronically Absent Students	EHE
HB 365 (AMENDED)	Del. Glass	Harford County – Archery Hunting – Safety Zone	EHE
HB 409 (AMENDED)	Del. McIntosh	Land Use – Comprehensive Planning and Zoning Cycle	EHE
HB 453	Del. Walker	Education – Maryland Center for School Safety	EHE
HB 806 (AMENDED)	Del. Hubbard	Health Occupations – State Board of Social Work Examiners – Revisions	EHE

HB 935	Del. Stifler	Public Institutions of Higher Education – In–State Tuition for Military Veterans	EHE
HB 963 (AMENDED)	Del. Cullison	Jean B. Cryor Memorial Scholarship – Creation	EHE
HB 1115	Del. Cullison	Hlth Occups Bds – License Renewal, Invstgn of Alleged Violations, and Immun from Liab	EHE & JPR
HB 1161 (AMENDED)	Del. A. Washington	Commission on Special Education Access and Equity	EHE
HB 1393	Del. O’Donnell	Public Schools – Student Work Product – Claim of Copyright Prohibited	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 16 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1169)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #36

House Bill 14 – Delegates ~~Simmons and K. Kelly~~ Clippinger, K. Kelly, Simmons, Arora, Dumais, Glenn, Anderson, Lee, McComas, Mitchell, Sophocleus, Valderrama, Valentino-Smith, and Waldstreicher

AN ACT concerning

Criminal Law – Part–Time School Employees, Contractors, and Coaches – Sexual Contact with Minors

Read the third time and passed by yeas and nays as follows:

Affirmative – 45 Negative – 2 (See Roll Call No. 1170)

The Bill was then sent to the House of Delegates.

House Bill 250 – Delegates Smigiel, Afzali, Eckardt, Frank, Hershey, Jacobs, Krebs, McComas, McDermott, W. Miller, Oaks, and Parrott

AN ACT concerning

Criminal Procedure – Victims’ Rights – Remedy and Priority of Restitution

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1171)

The Bill was then sent to the House of Delegates.

House Bill 713 – Delegates Dumais, Frick, Afzali, Anderson, Arora, Aumann, Barkley, Barve, Bates, Beidle, Bobo, Branch, Bromwell, Cardin, Carr, Carter, Clippinger, Cluster, Conaway, Cullison, Eckardt, Feldman, Frush, Gilchrist, Glass, Glenn, Gutierrez, Guzzone, Haddaway–Riccio, Haynes, Healey, Hixson, Hough, Hucker, Impallaria, Jameson, Jones, Kaiser, A. Kelly, Kramer, Krebs, Lafferty, Lee, Love, Luedtke, Malone, McComas, McConkey, McDermott, McDonough, McHale, McIntosh, A. Miller, W. Miller, Mitchell, Mizeur, Morhaim, Murphy, Myers, Nathan–Pulliam, Olszewski, Parrott, Pendergrass, Ready, Reznik, B. Robinson, S. Robinson, Rudolph, Serafini, Sophocleus, Stein, Stukes, Szeliga, Tarrant, F. Turner, Valderrama, Valentino–Smith, Waldstreicher, M. Washington, and Zucker

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture – Property Used in Human Trafficking

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1172)

The Bill was then sent to the House of Delegates.

House Bill 775 – Delegates Lafferty, Barve, Bobo, Carr, Costa, Frush, Guzzone, Healey, Hubbard, Hucker, Mizeur, Nathan–Pulliam, Pena–Melnik, S. Robinson, and Schuh

AN ACT concerning

Maryland Pesticide Reporting and Information ~~Act~~ Workgroup

Read the third time and passed by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 1173)

The Bill was then sent to the House of Delegates.

**House Bill 777 – Delegates K. Kelly, Anderson, Cluster, Dumais, Hough,
McDermott, Mitchell, Simmons, and Valentino-Smith**

AN ACT concerning

Criminal Procedure – Bail Bonds – Cash Bail

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1174)

The Bill was then sent to the House of Delegates.

**House Bill 854 – Delegates Dumais, Rosenberg, Valderrama, Valentino-Smith,
and Waldstreicher**

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible

Senator Pipkin moved, duly seconded, to make the Bill a Special Order for the end of today's business.

The motion was adopted.

House Bill 859 – Delegate Waldstreicher

AN ACT concerning

Interests in Grantor and Qualified Terminable Interest Property Trusts

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1175)

The Bill was then sent to the House of Delegates.

House Bill 977 – Delegate McDermott

AN ACT concerning

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

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1176)

The Bill was then sent to the House of Delegates.

House Bill 1279 – Delegates Niemann, Bobo, Carr, Carter, Frush, Glenn, and Hubbard

AN ACT concerning

Statewide Building Codes – Maryland Accessibility Code – Enforcement

Read the third time and passed by yeas and nays as follows:

Affirmative – 31 Negative – 15 (See Roll Call No. 1177)

The Bill was then sent to the House of Delegates.

House Bill 1320 – Delegates Jones, Bobo, Braveboy, Cardin, Griffith, Gutierrez, Guzzone, K. Kelly, Kramer, Lafferty, McIntosh, Mitchell, Oaks, Proctor, Rosenberg, V. Turner, Waldstreicher, and M. Washington

AN ACT concerning

Baltimore City and Baltimore County – Child in Need of Supervision Pilot Program – ~~Increase, Allocation, and~~ Extension

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1178)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #37

CONSENT CALENDAR #17

BILL NO.	SPONSOR	CONTENT	COMMITTEE
HB 978	Del. Barkley	Alcoholic Beverages – Winery Off-Site Permit and Wine Festival Permit	EHE
HB 1074 (AMENDED)	Prince George's Del.	Prince George's County – Alcoholic Beverages – Hours of Sale for Golf Course	EHE

		Licenses PG 318–13	
HB 1081	Prince George's Del.	Prince George's Co – Alc Bevs – Entertainment Permit – Class BH Licensees PG 301–13	EHE
HB 1082 (AMENDED)	Prince George's Del.	Prince George's County – Alcoholic Beverages – Class B–AE Licenses PG 317–13	EHE
HB 1292 (AMENDED)	Del. O'Donnell	Calvert County – Alcoholic Beverages Licenses – Retirement Communities	EHE
HB 1305	Anne Arundel Co. Del.	City of Annapolis – Alcoholic Beverages – Residency Requirement	EHE

All of the above listed bills on the Third Reading Consent Calendar No. 17 were read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1179)

The Bills were then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #38

House Bill 151 – Delegate A. Miller

AN ACT concerning

Sales and Use Tax – Tax-Free Period – Emergency Preparedness Equipment

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1180)

The Bill was then sent to the House of Delegates.

House Bill 234 – Delegates Oaks, Carter, Clippinger, Hammen, McHale, Mitchell, Rosenberg, and Stukes

AN ACT concerning

Transportation – Baltimore Corridor Red Line Transit Study

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1181)

The Bill was then sent to the House of Delegates.

House Bill 235 – Delegates McComas, Afzali, Cluster, Dwyer, Fisher, Frank, George, Glass, Impallaria, Jacobs, Kach, Krebs, McConkey, McDermott, McDonough, Norman, Schulz, Sophocleus, Stocksdale, Szeliga, Vitale, and Wood

AN ACT concerning

Property Tax – ~~Assessment Worksheets – Internet Access~~ Valuation of Residential Real Property – Database

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1182)

The Bill was then sent to the House of Delegates.

House Bill 408 – Delegates Conway, Afzali, Anderson, Aumann, Barkley, Bates, Beitzel, Bobo, Bohanan, Boteler, Cane, Cardin, Cullison, DeBoy, Donoghue, Dumais, Dwyer, Eckardt, Elliott, Feldman, Fisher, Frick, Frush, Gaines, Glass, Griffith, Gutierrez, Haddaway–Ricchio, Hershey, Hixson, Holmes, Hubbard, Ivey, Jacobs, James, Jones, Kaiser, Kipke, Krebs, Lafferty, Love, Luedtke, Malone, McComas, McConkey, McDermott, McIntosh, A. Miller, Norman, Otto, Proctor, Ready, S. Robinson, Rudolph, Schulz, Serafini, Smigiel, Stifler, Stocksdale, Summers, Tarrant, Vallario, Vitale, A. Washington, Weir, ~~and Wood~~ Wood, George, Harper, Myers, and Stukes

AN ACT concerning

Income Tax – Subtraction Modification – Enhanced Agricultural Management Equipment

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1183)

The Bill was then sent to the House of Delegates.

House Bill 414 – Frederick County Delegation

AN ACT concerning

Frederick County – Gaming Permits

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1184)

The Bill was then sent to the House of Delegates.

House Bill 419 – Delegate Frick

AN ACT concerning

Personal Property Tax – Liens for Unpaid Tax

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1185)

The Bill was then sent to the House of Delegates.

House Bill 1030 – Delegate Rosenberg

AN ACT concerning

**~~Baltimore City – Property Tax – Assessment of Land for Agricultural Use~~
Property Tax Credit – Urban Agricultural Property – Definition**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1186)

The Bill was then sent to the House of Delegates.

**House Bill 1209 – Delegates Frick, Aumann, Barve, Bohanan, Boteler, Branch,
Cardin, Clagett, Fisher, George, Holmes, Myers, Serafini, Stukes,
Szeliga, and Walker**

AN ACT concerning

Recordation Taxes – Exemptions

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1187)

The Bill was then sent to the House of Delegates.

House Bill 1236 – Delegates Hixson ~~and A. Miller~~, A. Miller, and Rosenberg

AN ACT concerning

**Recordation and Transfer Taxes – Low Income Housing Projects –
Controlling Interest**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1188)

The Bill was then sent to the House of Delegates.

**House Bill 1337 – Delegates Griffith, Bohanan, Guzzone, Jones, Mizeur,
Proctor, Tarrant, ~~and Zucker~~ Zucker, Hammen, Cullison, A. Kelly,
Murphy, Morhaim, Nathan-Pulliam, Oaks, Pena-Melnyk, Pendergrass,
and V. Turner**

AN ACT concerning

**Maryland Public Art Initiative Program – ~~Revisions~~ Selection of Art for
Capital Projects**

Read the third time and passed by yeas and nays as follows:

Affirmative – 43 Negative – 4 (See Roll Call No. 1189)

The Bill was then sent to the House of Delegates.

**House Bill 1455 – Montgomery County Delegation and Prince George’s
County Delegation**

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Property Tax –
Payment in Lieu of Taxes Agreement
MC/PG 118–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1190)

The Bill was then sent to the House of Delegates.

**House Bill 1494 – Delegates Conway, Bates, Guzzone, McConkey, Proctor,
B. Robinson, ~~and Zucker~~ Zucker, Aumann, Beitzel, Bohanan, DeBoy,**

Eckardt, Gaines, Griffith, Gutierrez, Haynes, James, Jones, Mizeur, Sophocleus, Stocksdales, Szeliga, M. Washington, and Wood

AN ACT concerning

Correctional Services – Standards for Correctional Facilities – Funding

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1191)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #39

House Bill 139 – ~~Delegate O'Donnell~~ Delegates O'Donnell and Krebs

AN ACT concerning

~~Training for Public~~ Open Meetings Act – Training for Public Bodies

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1192)

The Bill was then sent to the House of Delegates.

House Bill 224 – The Speaker (By Request – Administration) and Delegates Reznik, Barve, Bobo, Carr, Clagett, Davis, Dumais, Frick, Guzzone, Hucker, Lafferty, Luedtke, McHale, Mitchell, Rosenberg, Simmons, Tarrant, ~~and M. Washington~~ M. Washington, and Howard Howard, and Cardin

AN ACT concerning

Election Law – Improving Access to Voting

Read the third time and passed by yeas and nays as follows:

Affirmative – 36 Negative – 11 (See Roll Call No. 1193)

The Bill was then sent to the House of Delegates.

House Bill 526 – Delegates Summers, Cane, Clippinger, Frush, Gaines, Haynes, Hubbard, Ivey, Mitchell, Niemann, Stein, ~~and Walker~~ Walker, and Howard

AN ACT concerning

Higher Education – Maryland First Scholarship – Creation and Funding

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1194)

The Bill was then sent to the House of Delegates.

House Bill 964 – Delegates Hixson, Barve, Cardin, Frick, Howard, Ivey, Luedtke, Stukes, Summers, F. Turner, Walker, and A. Washington

AN ACT concerning

Community Colleges – ~~Cade Funding Formula~~ – Grants for English for Speakers of Other Languages Programs – Repeal of Total Amount Limitation

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1195)

The Bill was then sent to the House of Delegates.

House Bill 1338 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Juvenile Court and School Safety Workgroup
PG 306–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1196)

The Bill was then sent to the House of Delegates.

**House Bill 1353 – Delegates Oaks, Branch, Carter, ~~and Vaughn Vaughn,~~
Tarrant, V. Turner, Nathan–Pulliam, Pendergrass, Pena–Melnyk, and
Morhaim**

AN ACT concerning

Minority Business Enterprises – Participation and Goals and Subgoals

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1197)

The Bill was then sent to the House of Delegates.

House Bill 1390 – Chair, Health and Government Operations Committee (By Request – Departmental – Veterans Affairs) and Delegates Bromwell, Costa, Cullison, Elliott, Frank, Hammen, Hubbard, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan–Pulliam, Pena–Melnik, Pendergrass, Ready, Tarrant, and V. Turner

AN ACT concerning

Maryland Veterans Trust and Fund – Establishment

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1198)

The Bill was then sent to the House of Delegates.

THIRD READING CALENDAR (HOUSE BILLS) #40

House Bill 115 – The Speaker (By Request – Administration)

AN ACT concerning

Creation of a State Debt – Qualified Zone Academy Bonds

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1199)

The Bill was then sent to the House of Delegates.

House Bill 386 – Delegates Barve, Branch, Bromwell, Cardin, Hixson, Ivey, Luedtke, A. Miller, Mitchell, Serafini, and F. Turner

AN ACT concerning

Income Tax Credit – Qualified Research and Development Expenses – Credit Amounts and Small Business Refund

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1200)

The Bill was then sent to the House of Delegates.

**House Bill 803 – Chair, Ways and Means Committee (By Request –
Departmental – Business and Economic Development)**

AN ACT concerning

**Income Tax – Business and Economic Development – Cybersecurity
Investment Incentive Tax Credit**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1201)

The Bill was then sent to the House of Delegates.

House Bill 1145 – Prince George’s County Delegation

AN ACT concerning

**Task Force to Study Energy Generation in Prince George’s County
PG 416–13**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1202)

The Bill was then sent to the House of Delegates.

**House Bill 1397 – Delegate Bobo (Chair, Workgroup to Conduct a Review of
Disclosure Requirements of the Public Ethics Laws)**

AN ACT concerning

~~**Joint Ethics Committee – Reporting Requirements – Employment and
Sources of Earned Income**~~
**Public Ethics – Public Officials, Local Governments, and Lobbyists –
Training, Reporting, and Enforcement**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1203)

The Bill was then sent to the House of Delegates.

**House Bill 1429 – Chair, Environmental Matters Committee (By Request –
Departmental – Health and Mental Hygiene)**

AN ACT concerning

**State Ethics – Former State Department of Health and Mental Hygiene –
Former Officials and Employees – Employment**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1204)

The Bill was then sent to the House of Delegates.

House Bill 1524 – Baltimore County Delegation (~~By Request~~)

AN ACT concerning

**Election Law – Baltimore County Democratic Party Central Committee –
Membership**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1205)

The Bill was then sent to the House of Delegates.

House Bill 1531 – Delegate O'Donnell

AN ACT concerning

**Election Law – Prince George's County Republican Party Central Committee
– Membership**

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1206)

The Bill was then sent to the House of Delegates.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER

SPONSOR

CONTENT

SB 12	Sen. Zirkin	Labor and Employment – Leave – Deployment of Family Members in the Armed Forces
SB 32	Sen. Colburn	Alcoholic Beverages – Brewery License – On–Premises Consumption
SB 54	Chair, EHE Com.	Maryland Higher Education Commission – Scholarship Funds – Technical Alterations
SB 58	Chair, EHE Com.	Adult Ed and Literacy Services – High School Diploma by Examination – Eligibility Requirements
SB 224	Sen. Pugh	State Employee and Retiree Health and Welfare Benefits Program – Wellness Program
SB 313	Sen. Astle	Workers’ Compensation – Anne Arundel County Deputy Sheriff
SB 335	Sen. Klausmeier	Health Occupations – Funeral Establishments – Preparation and Holding Rooms
SB 358	Sen. Conway	State Bd of Morticians and Funeral Directors – Authority to Discipline – Funeral Est Licenses
SB 392	Cecil Co. Senators	Cecil County – Alcoholic Beverages – Refillable Containers
SB 436	Sen. Peters	Recordation Taxes – Exemptions
SB 446	Sen. Pugh	Homeowner’s or Renter’s Ins and Private Psgr Motor Vehicle Ins – Bundling Reqmt – Prohibited
SB 460	Sen. Conway	Health Occupations – Physician Assistants – Authority to Practice
SB 463	Sen. Conway	St Bd of Morticians and Fnrl Drctrs – Apprentice Sponsors, Fnrl Est Licenses, & Suprvsng Morticians
SB 658	Sen. King	Estate Tax and Income Tax – Marital Deduction and Subtraction Modification for Health Insurance
SB 774	Sen. Mathias	Income Tax – Subtraction Modification – Maryland Civil

SB 779	Sen. King	Air Patrol Biotechnology Investment Tax Credit – Qualified Maryland Biotechnology Company – Definition
SB 784	Sen. Benson	Employment Discrimination – Reasonable Accommodations for Disabilities Due to Pregnancy
SB 797	Sen. Middleton	Thermal Energy – Task Force and Regulations
SB 811	Sen. Rosapepe	Procurement – Investment Activities in Iran – Bd of Public Works Authority to Adopt Regs
SB 887	Sen. Garagiola	Public Utilities – Solar Photovoltaic Systems
SB 916	Sen. Klausmeier	Task Force to Study Licensing and Continuing Education Requirements for Electricians
SB 951	Sen. Benson	Health Occupations – Polysomnographic Technologists – Licensure and Discipline
SB 954	Sen. Benson	Md Bd of Physcns – Auth to Iss Temp Lic and Rdtm Thrpy, Rdgrphy, Nuc Mdcn Tch, and Rdlgy Adv Cmm
SB 957	Sen. Brinkley	Frederick County – Alcoholic Beverages – Banquet Facility License
SB 963	Sen. Mathias	Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools
SB 1068	Sen. Glassman	Commission to Study the Regulation of Payroll Services

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 621 – Delegates Niemann and Hucker

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 the Administration to ensure that financing authorized under this Act complies with certain provisions; requiring a regulated sustainable energy contract to meet certain requirements established by the Administration and to require certain actions; establishing a time period during which a certain person may object to a regulated sustainable energy contract; requiring that an objection made to a regulated sustainable energy contract be in writing and addressed to certain persons; prohibiting a regulated sustainable energy contract from becoming effective if certain requirements are met; 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; requiring a certain person selling or transferring a certain property to provide written notice to the person acquiring the property that the person acquiring the property shall assume 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; prohibiting a lien

imposed by a certain qualified contractor from taking priority over a lien, mortgage, deed of trust, or other security interest that is already attached to the property; prohibiting a party that holds a recorded mortgage or deed of trust on a certain property from being charged for any amount due on a certain regulated sustainable energy contract; requiring payment on a certain regulated sustainable energy contract to resume when the property subject to the regulated sustainable energy contract is sold or transferred to a certain person; 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 Rules.

House Bill 874 – Delegates Rosenberg and Simmons

AN ACT concerning

Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms – Extension

FOR the purpose of altering the date by which the Task Force is required to Study Access of Individuals with Mental Illness to Regulated Firearms is required to submit certain findings and recommendations; extending the termination date of the Task Force; and generally relating to the Task Force to Study Access of Individuals with Mental Illness to Regulated Firearms.

BY repealing and reenacting, with amendments,
Chapter 131 of the Acts of the General Assembly of 2012
Section 1(g) and 2

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

**House Bill 1031 – Delegates Hixson, Arora, Barve, Carr, Feldman, Gutierrez,
Lee, Luedtke, A. Miller, Mizeur, and S. Robinson**

AN ACT concerning

**Estate Tax and Income Tax – ~~Qualifying Income Interest for Life Marital~~
Deduction 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 that, for purposes of calculating Maryland estate tax, the
surviving spouse of a decedent shall include any individual to whom, at the time
of the decedent's death, the decedent was lawfully married under State law;
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;~~ certain costs
incurred by a taxpayer to provide health insurance for the taxpayer's spouse;
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~~ certain health insurance ~~and other medical~~
~~expenses incurred on behalf of another adult individual~~ costs.

BY repealing and reenacting, with amendments,
Article – Tax – General
Section 7-309~~(b)(6)~~(b)
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 Rules.

House Bill 1073 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Board of Education – Financial Literacy Curriculum
~~– Graduation Requirement~~
PG 419–13**

FOR the purpose of ~~requiring~~ authorizing the Prince George’s County Board of Education to develop curriculum content for a certain course in financial literacy ~~as a part of the county board’s high school curriculum to be offered to all students in a certain grade~~; requiring certain curriculum content to include certain instruction; ~~requiring~~ authorizing the county board to implement certain curriculum content in ~~high~~ middle schools in Prince George’s County beginning in a certain school year; ~~requiring certain students to complete a certain course in order to graduate from high school in Prince George’s County~~; and generally relating to the implementation of a course in financial literacy ~~that is required for graduation from a public high school~~ in Prince George’s County.

BY adding to

Article – Education

Section 3–1008

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

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

House Bill 1124 – Delegates Stein, Cardin, ~~and Morhaim~~ Morhaim, and Kach

AN ACT concerning

**Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety
Laws**

FOR the purpose of requiring the Public Service Commission to evaluate a certain process and criteria that the U.S. Secretary of Transportation would use to review an application for the 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 make a certain determination; 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 under certain circumstances and in accordance with certain regulations; authorizing the Commission to accept grants–in–aid, cash, and

~~reimbursements to implement certain federal pipeline safety laws; authorizing the Commission to charge a certain owner a certain fee for certain inspections of gas pipelines; 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~~ 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 Rules.

House Bill 1187 – Delegate Hucker

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 to file a certain application for approval to construct a certain generating station at least a certain time before construction commences; requiring a person who constructs a certain 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.

House Bill 1386 – Delegate Haddaway–Riccio

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.

House Bill 1387 – Frederick County Delegation

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.

House Bill 1534 – Delegates Frush, Barnes, Cardin, Conway, DeBoy, Gaines, Jameson, Kipke, Myers, Pena–Melnik, Schuh, and Stukes

EMERGENCY BILL

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Water Heating Systems

FOR the purpose of altering the definition of “solar water heating system” for purposes of the renewable energy portfolio standard to include systems that consist of certain concentrating solar thermal collectors under certain circumstances; making a stylistic change; making this Act an emergency measure; and generally relating to the renewable energy portfolio standard.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 7–701(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 7–701(k–1)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)

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

CONCURRENCE CALENDAR #23

AMENDED IN THE HOUSE

Senate Bill 212 – Senators Edwards, Astle, and Shank

AN ACT concerning

Vehicle Laws – Registration Plates for Motorcycles – Individuals with Disabilities

Senator Frosh moved that the Senate concur in the House amendment.

SB0212/920710/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 212

(Third Reading File Bill)

On page 2, in line 13, strike “**PARAGRAPH (2) OF THIS SUBSECTION**” and substitute “**SUBSECTION (B) OF THIS SECTION**”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1207)

CONCURRENCE CALENDAR #25

AMENDED IN THE HOUSE

Senate Bill 90 – Senator Astle

AN ACT concerning

~~Natural Resources – Vessel Excise Tax – Maximum Tax~~
Motor Fuel Tax Distribution – Waterway Improvement Fund

Senator Frosh moved that the Senate concur in the House amendments.

SB0090/145560/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 90, AS AMENDED

On page 6 of the Committee on Ways and Means Amendments (SB0090/335669/1), in Amendment No. 2, strike beginning with “that” in line 1 down through “2013” in line 2.

The preceding amendment was read and concurred in by roll call vote as follows:

Affirmative – 34 Negative – 12 (See Roll Call No. 1208)

SB0090/335669/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 90

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 3 in its entirety and substitute “Natural Resources – Vessel Excise Tax – Waterway Improvement Fund”; in line 4, after “of” insert “limiting the amount of the vessel excise tax to a certain amount for each vessel;”; in line 8, after “Fund;” insert “requiring the Department of Natural Resources to submit reports on or before certain dates describing the effect of the limitation on the vessel excise tax as enacted by this Act; establishing the Task Force to Study Enhancing Boating and the Boating Industry 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 evaluate options and make recommendations for enhancing boating and growing the boating industry; requiring the Task Force to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing that the altered distribution of motor fuel tax revenue as enacted by this Act applies only under certain circumstances; providing for the termination of certain provisions of this Act;”; strike line 9 in its entirety and substitute “vessel excise tax and the Waterway Improvement Fund.”; and after line 14, insert:

“BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–716(c)

Annotated Code of Maryland

(2012 Replacement Volume)”.

AMENDMENT NO. 2

On page 2, after line 22, insert:

“Article – Natural Resources

8–716.

(c) (1) **[Except] SUBJECT TO THE LIMITATION UNDER PARAGRAPH (3) OF THIS SUBSECTION AND EXCEPT** as provided in § 8–715(d) of this subtitle and in subsections (e) and (f) of this section, and in addition to the fees prescribed in subsection (b) of this section, an excise tax is levied at the rate of 5% of the fair market value of the vessel on:

(i) The issuance of every original certificate of title required for a vessel under this subtitle;

(ii) The issuance of every subsequent certificate of title for the sale, resale, or transfer of the vessel;

(iii) The sale within the State of every other vessel; and

(iv) The possession within the State of a vessel used or to be used principally in the State.

(2) Notwithstanding the provisions of this subsection, no tax is paid on issuance of any certificate of title if the owner of the vessel for which a certificate of title is sought was the owner of the vessel prior to June 1, 1965, or paid Maryland sales and use tax on the vessel as required by law at the time of acquisition. The Department may require the applicant for titling to submit satisfactory proof that the applicant owned the vessel prior to June 1, 1965.

(3) THE EXCISE TAX IMPOSED UNDER THIS SUBSECTION MAY NOT EXCEED \$15,000 FOR ANY VESSEL.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:".

On page 3, after line 12, insert:

"SECTION 3. AND BE IT FURTHER ENACTED, That the Department of Natural Resources shall submit a report on or before August 1 of 2014, 2015, and 2016 to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly that describes the effect of the limitation on the vessel excise tax enacted by Section 1 of this Act during the preceding fiscal year on:

(1) the number and type of vessels registered in the State; and

(2) the health of the boating industry.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) There is a Task Force to Study Enhancing Boating and the Boating Industry in Maryland.

(b) The Task Force consists of the Secretary of the Department of Natural Resources or the Secretary's designee, who shall serve as the chair of the Task Force, and the following individuals appointed by the Secretary:

- (1) one representative of the Marine Trades Association of Maryland;
- (2) one representative of the Department of Business and Economic Development;
- (3) one representative of the Maryland Association of Counties;
- (4) one representative of the Maryland Municipal League;
- (5) one representative of the Boat Owner's Association of the United States;
- (6) one representative of the Recreational Boating and Fishing Foundation;
- (7) one representative of the Chesapeake Bay Yacht Clubs Association;
- (8) one representative from the Maryland Boat Act Advisory Committee;
- (9) one individual representing paddle sports; and
- (10) one representative of a local tourism board or visitor bureau in a county that borders the Chesapeake Bay.

(c) The Department of Natural Resources shall provide staff for the Task Force.

(d) A member of the Task Force:

- (1) may not receive compensation as a member of the Task Force; but
- (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(e) The Task Force shall:

(1) evaluate options and make recommendations for enhancing boating and growing the boating industry in the State; and

(2) consider the following:

(i) incentives to encourage boats to register in the State and use marinas and boat yards for recreation, repair, and outfitting in the State;

(ii) the impact of modifying the State vessel excise tax rate and boat registration fees;

(iii) the expenditure and use of the Waterway Improvement Fund and its benefits to the general boating public and the State's boating industry;

(iv) the impact on the boating industry and the general boating public of decreased State and federal spending on boating access;

(v) the costs and needs of maintaining and improving public boating infrastructure and boating safety; and

(vi) any other matter that the Task Force agrees will enhance boating in the State.

(f) On or before September 1, 2015, the Task Force shall submit a report of its findings and recommendations to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding Section 1 of this Act, except as otherwise provided in this section, the altered distribution of revenue from the motor fuel tax under the provisions of Title 2, Subtitle 11 of the Tax – General Article as enacted by this Act does not apply until any Consolidated Transportation Bonds that were issued by the Department of Transportation before July 1, 2013, no longer remain outstanding and unpaid. In any fiscal year for which funds are appropriated by the General Assembly to pay the amount due and payable in that fiscal year for the principal of and interest on the Department of Transportation's Consolidated Transportation Bonds that were issued before July 1,

2013, the revenue from the motor fuel tax shall be distributed as provided in Title 2, Subtitle 11 of the Tax – General Article as enacted by this Act.”;

in line 13, strike “2.” and substitute “6.”; and in line 14, after “2013.” insert “Sections 1 and 4 of this Act shall remain effective for a period of 3 years and, at the end of June 30, 2016, with no further action required by the General Assembly, Sections 1 and 4 of this Act shall be abrogated and of no further force and effect.”.

The preceding 2 amendments were read and concurred in by roll call vote as follows:

Affirmative – 34 Negative – 12 (See Roll Call No. 1208)

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 36 Negative – 11 (See Roll Call No. 1209)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #27

AMENDED IN THE HOUSE

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

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0070/305066/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 70

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “circumstances;” insert “restricting to a certain percentage the Department’s allocation of designated capital in certain side car funds under the Invest Maryland Program; requiring the Maryland Venture Fund Authority to consider whether the State’s investment in an applicant for venture firm certification under the Invest Maryland Program would exceed a certain percentage of total investments in the applicant;”; and in line 14, after “definition;” insert “defining a certain term;”.

AMENDMENT NO. 2

On page 2, in line 3, after “6-501(n)” insert “and (p), 6-511, 6-518(a)(1).”.

AMENDMENT NO. 3

On page 6, in line 14, after “(p)” insert “**“SIDE CAR AFFILIATE” MEANS AN ENTITY CONTROLLED BY OR UNDER COMMON CONTROL WITH A VENTURE FIRM THAT IS FORMED SOLELY FOR THE PURPOSE OF INVESTING ALONGSIDE THE VENTURE FIRM.**

(Q)”.

AMENDMENT NO. 4

On page 6, after line 17, insert:

“6-511.

(a) All designated capital from purchasers shall be deposited into the Enterprise Fund to be invested as provided in this subtitle.

(b) The Department shall allocate designated capital as follows:

(1) 67% to one or more venture firms to fund the making of qualified investments based on the criteria set forth in this subtitle, PROVIDED, THAT NOT MORE THAN 20% OF THIS AMOUNT MAY BE INVESTED IN THE SIDE CAR FUND AFFILIATES OF THE VENTURE FIRMS; and

(2) 33% to the Enterprise Fund, to be allocated:

(i) \$250,000 to the Rural Maryland Council for its operational expenses;

(ii) 75% of the remaining amount to fund the making of qualified investments in qualified businesses under the existing policies and procedures of the Enterprise Fund under Title 5, Subtitle 6 of this article; and

(iii) 25% of the remaining amount to the Financing Authority Equity Participation Investment Program, to be invested in qualified businesses in accordance with the policies and procedures of the Financing Authority under Title 5, Subtitle 5, Part V of this article.

(c) It is the goal of the State that a portion of the designated capital received under subsection (b)(2)(ii) of this section be used to make qualified investments in qualified businesses located in rural areas of the State.

(d) As soon as practicable after the Department receives each installment of designated capital, the Department and each venture firm that has been allocated designated capital shall enter into a contract under which the allocated amount of designated capital will be transferred by the Department to the venture firm for investment as provided in this subtitle.

(e) The Department shall secure the commitment of the purchasers in accordance with § 6–512 of this subtitle.

6–518.

(a) In selecting applicants for venture firm certification, the Authority shall consider:

(1) the management structure of the applicant, including:

(i) the investment experience of the principals;

(ii) the applicant’s reputation in the venture firm industry and the applicant’s ability to attract co–investment capital and syndicate investments in qualified businesses in the State;

(iii) the knowledge, experience, and capabilities of the applicant in subject areas relevant to venture–stage businesses in the State; [and]

(iv) the tenure and turnover history of principals and senior investment professionals of the applicant; AND

(v) WHETHER THE STATE’S INVESTMENT IN THE APPLICATION UNDER THIS PROGRAM WOULD EXCEED 15% OF THE TOTAL INVESTED IN THE APPLICANT BY ALL INVESTORS, INCLUDING INVESTMENTS IN ANY SIDE CAR FUND AFFILIATES;”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1210)

AMENDED IN THE HOUSE

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

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0124/225063/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 124
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “allowing” in line 5 down through “Act” in line 7 and substitute “declaring the intent of the General Assembly”; and in line 9, strike “and certain qualified veterans”.

AMENDMENT NO. 2

On pages 3 through 5, strike in their entirety the lines beginning with line 17 on page 3 through line 4 on page 5, inclusive.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 5 through 7, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Labor, Licensing, and Regulation, the Department of Disabilities, and the Department of Veterans Affairs make every effort to promote and market the Qualifying Employees with Disabilities Tax Credit to Maryland employers.”; in line 8, strike “4.” and substitute “3.”; and strike beginning with “, except” in line 8 down through “Act,” in line 9.

The preceding 3 amendments were read and concurred in.

SB0124/695369/1

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 124

(Third Reading File Bill)

On page 2, strike in their entirety lines 13 through 17, inclusive.

The preceding amendment was read and concurred in.

SB0124/695369/3

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 124

(Third Reading File Bill)

On page 1, in line 2, strike “and Expansion”.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1211)

CONCURRENCE CALENDAR #24

AMENDED IN THE HOUSE

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

Senator Frosh moved that the Senate not concur in the House amendments.

SB0339/200913/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 339

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 11, before “altering” insert “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;”.

On page 2, in line 20, after “vehicle” insert “IN THE TRAVEL PORTION OF THE ROADWAY”.

On page 4, in lines 4 and 9, in each instance, strike “motion” and substitute “THE TRAVEL PORTION OF THE ROADWAY”.

AMENDMENT NO. 2

On page 1, in line 13, before “prohibiting” insert “repealing a certain provision of law”; and in lines 14 and 15, strike “second or subsequent” and substitute “first”.

On page 4, strike in their entirety lines 13 through 27, inclusive, and substitute:

“(e) [A police officer may enforce this section only as a secondary action when the police officer detains a driver for a suspected violation of another provision of the Code.]”

“(f) (1) A person convicted of a violation of this section is subject to the following penalties:

(i) For a first offense, a fine of not more than \$40; and

(ii) For a second or subsequent offense, a fine of \$100.

“(2) For a first offense under this section, points may not be assessed against the individual under § 16–402 of this article unless the offense contributes to an accident.”

“(g) The court may waive [a penalty under subsection (f)] **THE PENALTY FOR A VIOLATION** of this section for a person who:”

The preceding 2 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: SB 0339

SPONSOR: Sen Robey, et al

SUBJECT: Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforc, and Penalties

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

CONCURRENCE CALENDAR #26

AMENDED IN THE HOUSE

Senate Bill 207 – Senators Brochin, Klausmeier, Muse, Peters, and Zirkin

AN ACT concerning

Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

Senator Frosh moved that the Senate not concur in the House amendments.

SB0207/490412/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 207

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “and Work Zone Speed Control”; in the same line, after “Systems” insert “ – Local Jurisdictions”; strike beginning with “definition” in line 3 down through the second “systems” in line 20 and substitute “standards and requirements for the required warning period for violations recorded by speed monitoring systems; establishing that speed monitoring systems placed in certain areas may only be placed on highways with a certain minimum speed limit; applying certain notice and signage standards for unmanned local stationary speed monitoring systems to all local speed monitoring systems; altering the standards for signage required for local stationary speed monitoring systems; requiring certain local jurisdictions to designate certain persons to act in a certain liaison capacity; altering the standards and requirements for daily self-tests and annual calibrations for speed monitoring systems; requiring certain local jurisdictions to designate a certain program administrator; requiring a contract for a certain speed monitoring system to include certain provisions; establishing certain training requirements; clarifying that a certificate alleging that a certain speeding violation occurred is required to be sworn to or affirmed by a certain law enforcement officer; expanding the application of the prohibition against a speed monitoring system contractor’s fee being contingent on the number of citations issued or paid; providing that, except under certain circumstances, existing obligations, contracts, or contract rights may not be impaired by this Act; defining certain terms; and generally relating to speed monitoring systems operated”

by local jurisdictions”; and strike lines 23 and 24 in their entirety and substitute “Section 21–809”.

AMENDMENT NO. 2

On pages 2 through 6, strike in their entirety the lines beginning with line 12 on page 2 through line 22 on page 6, inclusive, and substitute:

“(a) (1) In this section the following words have the meanings indicated.

(2) “Agency” means:

(i) A law enforcement agency of a local political subdivision that is authorized to issue a citation for a violation of the Maryland Vehicle Law or of local traffic laws or regulations; or

(ii) For a municipal corporation that does not maintain a police force, an agency established or designated by the municipal corporation to implement this subtitle using speed monitoring systems in accordance with this section.

(3) (i) **“ERRONEOUS VIOLATION” MEANS A POTENTIAL VIOLATION SUBMITTED BY A SPEED MONITORING SYSTEM CONTRACTOR FOR REVIEW BY AN AGENCY THAT IS:**

1. CLEARLY NOT SUPPORTED BY THE AVAILABLE EVIDENCE OR APPLICABLE LAW; OR

2. BASED ON A TECHNICAL VARIABLE FOR WHICH THE CONTRACTOR IS RESPONSIBLE.

(ii) **“ERRONEOUS VIOLATION” INCLUDES:**

1. A POTENTIAL VIOLATION BASED ON INACCURATE RADAR IMAGING, INCLUDING THE PHENOMENON KNOWN AS THE “RADAR EFFECT”; OR

2. A POTENTIAL VIOLATION BASED ON A RECORDED IMAGE THAT IS GENERATED BY A SPEED MONITORING SYSTEM THAT IS AT AN IMPROPER DISTANCE OR ANGLE OR IN IMPROPER FOCUS.

(III) “ERRONEOUS VIOLATION” DOES NOT INCLUDE A POTENTIAL VIOLATION THAT AN AGENCY IS UNABLE TO VALIDATE BUT OTHERWISE COMPLIES WITH APPLICABLE LAWS AND CONTRACT PROVISIONS.

(4) (I) “Owner” means the registered owner of a motor vehicle or a lessee of a motor vehicle under a lease of 6 months or more.

(ii) “Owner” does not include:

- 1. A motor vehicle rental or leasing company; or**
- 2. A holder of a special registration plate issued under Title 13, Subtitle 9, Part III of this article.**

[(4)] (5) “PROGRAM ADMINISTRATOR” MEANS AN EMPLOYEE OR REPRESENTATIVE OF THE LOCAL JURISDICTION DESIGNATED BY THE LOCAL JURISDICTION TO OVERSEE A CONTRACT WITH A SPEED MONITORING SYSTEM CONTRACTOR.

(6) “Recorded image” means an image recorded by a speed monitoring system:

(i) On:

- 1. A photograph;**
- 2. A microphotograph;**
- 3. An electronic image;**
- 4. Videotape; or**
- 5. Any other medium; and**

(ii) Showing:

- 1. The rear of a motor vehicle;**

2. At least two time-stamped images of the motor vehicle that include the same stationary object near the motor vehicle; and

3. On at least one image or portion of tape, a clear and legible identification of the entire registration plate number of the motor vehicle.

(7) “SCHOOL ZONE” MEANS A DESIGNATED ROADWAY SEGMENT WITHIN UP TO A HALF-MILE RADIUS OF A SCHOOL FOR ANY OF GRADES KINDERGARTEN THROUGH GRADE 12 THAT IS APPROACHING, ADJACENT TO, OR BEYOND SCHOOL BUILDINGS OR GROUNDS WHERE SCHOOL RELATED ACTIVITY OCCURS, INCLUDING:

(I) TRAVEL BY STUDENTS TO OR FROM SCHOOL ON FOOT OR BY BICYCLE; OR

(II) THE DROPPING OFF OR PICKING UP OF STUDENTS BY SCHOOL BUSES OR OTHER VEHICLES.

[(5)] (8) “Speed monitoring system” means a device with one or more motor vehicle sensors producing recorded images of motor vehicles traveling at speeds at least 12 miles per hour above the posted speed limit.

[(6)] (9) “Speed monitoring system operator” means a representative of an agency or contractor that operates a speed monitoring system.

(b) (1) (i) A speed monitoring system may not be used in a local jurisdiction under this section unless its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing.

(ii) Before a county may use a speed monitoring system on a State highway at a location within a municipal corporation, the county shall:

1. Obtain the approval of the State Highway Administration;

2. Notify the municipal corporation of the State Highway Administration's approval of the use of a speed monitoring system at that location; and

3. Grant the municipal corporation 60 days from the date of the county's notice to the municipal corporation to enact an ordinance authorizing the municipal corporation instead of the county to use a speed monitoring system at that location.

(iii) 1. This subparagraph applies only in Prince George's County.

2. In the county, a municipal corporation may implement and use a speed monitoring system consistent with the requirements of this subsection on a county highway at a location within its corporate limits if the municipal corporation:

A. Submits to the county a plan describing the boundary of the applicable school zone and the proposed location of the speed monitoring system; and

B. Requests and receives permission from the county to use the speed monitoring system at the proposed location.

3. If the county fails to respond to the request within 60 days, the municipal corporation may implement and use the speed monitoring system as described in the plan submission.

4. The county may not:

A. Unreasonably deny a request under this subparagraph; or

B. Place exactions, fees, or unreasonable restrictions on the implementation and use of a speed monitoring system under this subparagraph.

5. The county shall state in writing the reasons for any denial of a request under this subparagraph.

6. A municipal corporation may contest in the circuit court a county denial of a request under this subparagraph.

(iv) In Prince George’s County, if a municipal corporation has established a school zone that is within one-quarter mile of a school zone established in another municipal corporation, the municipal corporation may not implement or use a speed monitoring system in that school zone unless it has obtained the approval of the other municipal corporation.

(v) An ordinance or resolution adopted by the governing body of a local jurisdiction under this paragraph shall provide that [for a period of at least 30 days after the first speed monitoring system is placed in the local jurisdiction, a violation recorded by any speed monitoring system in the local jurisdiction may be enforced only by the issuance of a warning] IF THE LOCAL JURISDICTION MOVES OR PLACES A MOBILE OR STATIONARY SPEED MONITORING SYSTEM TO OR AT A LOCATION WHERE A SPEED MONITORING SYSTEM HAD NOT PREVIOUSLY BEEN MOVED OR PLACED, THE LOCAL JURISDICTION MAY NOT ISSUE A CITATION FOR A VIOLATION RECORDED BY THAT SPEED MONITORING SYSTEM:

1. UNTIL SIGNAGE IS INSTALLED IN ACCORDANCE WITH SUBPARAGRAPH (VII) OF THIS PARAGRAPH; AND

2. FOR AT LEAST THE FIRST 15 CALENDAR DAYS AFTER THE SIGNAGE IS INSTALLED.

(vi) This section applies to a violation of this subtitle recorded by a speed monitoring system that meets the requirements of this subsection and has been placed:

1. In Montgomery County, on a highway in a residential district, as defined in § 21–101 of this title, with a maximum posted speed limit of 35 miles per hour, which speed limit was established using generally accepted traffic engineering practices;

2. In a school zone [established under § 21–803.1 of this subtitle] WITH A POSTED SPEED LIMIT OF AT LEAST 20 MILES PER HOUR; or

3. In Prince George's County, on that part of a highway located within the grounds of an institution of higher education as defined in § 10-101(h) of the Education Article, or within one-half mile of the grounds of a building or property used by the institution of higher education where generally accepted traffic and engineering practices indicate that motor vehicle, pedestrian, or bicycle traffic is substantially generated or influenced by the institution of higher education.

(vii) Before activating [an unmanned stationary] A speed monitoring system, the local jurisdiction shall:

1. Publish notice of the location of the speed monitoring system on its website and in a newspaper of general circulation in the jurisdiction;

2. Ensure that each sign that designates a school zone [indicates] IS PROXIMATE TO A SIGN THAT:

A. INDICATES that speed monitoring systems are in use in THE school [zones] ZONE; AND

B. IS IN ACCORDANCE WITH THE MANUAL AND SPECIFICATIONS FOR A UNIFORM SYSTEM OF TRAFFIC CONTROL DEVICES ADOPTED BY THE STATE HIGHWAY ADMINISTRATION UNDER § 25-104 OF THIS ARTICLE; and

3. With regard to a speed monitoring system established based on proximity to an institution of higher education under paragraph (1)(vi)3 of this subsection, ensure that all speed limit signs approaching and within the segment of highway on which the speed monitoring system is located include signs that:

A. Are in accordance with the manual and specifications for a uniform system of traffic control devices adopted by the State Highway Administration under § 25-104 of this article; and

B. Indicate that a speed monitoring system is in use.

(viii) A speed monitoring system in a school zone may operate only Monday through Friday between 6:00 a.m. and 8:00 p.m. .

(IX) 1. A LOCAL JURISDICTION THAT AUTHORIZES A PROGRAM OF SPEED MONITORING SYSTEMS SHALL DESIGNATE AN OFFICIAL OR EMPLOYEE TO INVESTIGATE AND RESPOND TO QUESTIONS OR CONCERNS ABOUT THE LOCAL JURISDICTION’S SPEED MONITORING SYSTEM PROGRAM.

2. BEFORE THE DEADLINE FOR CONTESTING LIABILITY UNDER THIS SECTION, THE LOCAL DESIGNEE MAY REVIEW AND, IF A CITATION IS DETERMINED TO BE AN ERRONEOUS VIOLATION, VOID A SPEED MONITORING SYSTEM CITATION.

3. A LOCAL DESIGNEE MAY NOT BE EMPLOYED BY A SPEED MONITORING SYSTEM CONTRACTOR OR HAVE BEEN INVOLVED IN ANY PREVIOUS REVIEW UNDER THIS SECTION OF SPEED MONITORING SYSTEM CITATIONS.

4. ON RECEIPT OF A QUESTION OR CONCERN FROM A PERSON, THE LOCAL DESIGNEE SHALL PROVIDE A WRITTEN ANSWER OR RESPONSE TO THE PERSON WITHIN A REASONABLE TIME.

5. A LOCAL JURISDICTION SHALL MAKE ANY WRITTEN QUESTIONS OR CONCERNS RECEIVED UNDER THIS SUBPARAGRAPH, AND ANY SUBSEQUENT ANSWERS OR RESPONSES, AVAILABLE FOR PUBLIC INSPECTION.

(2) (i) A speed monitoring system operator shall complete training by a manufacturer of speed monitoring systems in the procedures for setting up and operating the speed monitoring system.

(ii) The manufacturer shall issue a signed certificate to the speed monitoring system operator on completion of the training.

(iii) The certificate of training shall be admitted as evidence in any court proceeding for a violation of this section.

(3) A speed monitoring system operator shall fill out and sign a daily set-up log for a speed monitoring system that:

(i) States that the speed monitoring system operator successfully performed OR REVIEWED AND EVALUATED the manufacturer-specified DAILY self-test of the speed monitoring system prior to producing a recorded image;

(ii) Shall be kept on file; and

(iii) Shall be admitted as evidence in any court proceeding for a violation of this section.

(4) (i) A speed monitoring system shall undergo an annual calibration check performed by an independent calibration laboratory THAT IS:

1. SELECTED BY THE LOCAL JURISDICTION; AND

2. UNAFFILIATED WITH THE MANUFACTURER OF THE SPEED MONITORING SYSTEM.

(ii) The independent calibration laboratory shall issue a signed certificate of calibration after the annual calibration check that:

1. Shall be kept on file; and

2. Shall be admitted as evidence in any court proceeding for a violation of this section.

(5) IF A LOCAL JURISDICTION AUTHORIZES A PROGRAM OF SPEED MONITORING SYSTEMS UNDER THIS SECTION:

(I) THE LOCAL JURISDICTION SHALL DESIGNATE A PROGRAM ADMINISTRATOR, WHO MAY NOT BE AN EMPLOYEE OR REPRESENTATIVE OF THE SPEED MONITORING SYSTEM CONTRACTOR; AND

(II) THE CONTRACT WITH THE SPEED MONITORING SYSTEM CONTRACTOR SHALL INCLUDE THE FOLLOWING PROVISIONS:

1. FOR POTENTIAL VIOLATIONS SUBMITTED BY A CONTRACTOR FOR REVIEW BY AN AGENCY, IF MORE THAN 5% OF THE VIOLATIONS IN A CALENDAR YEAR ARE ERRONEOUS VIOLATIONS, THEN THE

CONTRACTOR SHALL BE SUBJECT TO LIQUIDATED DAMAGES FOR EACH ERRONEOUS VIOLATION EQUAL TO AT LEAST 50% OF THE FINE AMOUNT FOR THE ERRONEOUS VIOLATION, PLUS ANY REIMBURSEMENTS PAID BY THE LOCAL JURISDICTION; AND

2. THE LOCAL JURISDICTION MAY CANCEL A CONTRACT WITH A CONTRACTOR IF THE CONTRACTOR VIOLATES THE CONTRACT BEYOND A THRESHOLD SPECIFIED IN THE CONTRACT OR VIOLATES THE LAW IN IMPLEMENTING THE CONTRACT.

(6) (I) THE MARYLAND ASSOCIATION OF CHIEFS OF POLICE, IN CONSULTATION WITH THE MARYLAND SHERIFF'S ASSOCIATION AND THE ADMINISTRATION, SHALL DEVELOP A TRAINING PROGRAM CONCERNING THE OVERSIGHT AND ADMINISTRATION OF A SPEED MONITORING PROGRAM BY A LOCAL JURISDICTION, INCLUDING A CURRICULUM OF BEST PRACTICES IN THE STATE.

(II) 1. A PROGRAM ADMINISTRATOR SHALL PARTICIPATE IN THE TRAINING PROGRAM ESTABLISHED UNDER THIS PARAGRAPH BEFORE A LOCAL JURISDICTION INITIALLY IMPLEMENTS A SPEED MONITORING PROGRAM AND SUBSEQUENTLY AT LEAST ONCE EVERY 2 YEARS.

2. IF A LOCAL JURISDICTION DESIGNATES A NEW PROGRAM ADMINISTRATOR, THE NEW PROGRAM ADMINISTRATOR SHALL PARTICIPATE IN THE NEXT AVAILABLE TRAINING PROGRAM.

(c) (1) Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this section, the driver of a motor vehicle is subject to a civil penalty if the motor vehicle is recorded by a speed monitoring system while being operated in violation of this subtitle.

(2) A civil penalty under this subsection may not exceed \$40.

(3) For purposes of this section, the District Court shall prescribe:

(i) A uniform citation form consistent with subsection (d)(1) of this section and § 7-302 of the Courts Article; and

(ii) A civil penalty, which shall be indicated on the citation, to be paid by persons who choose to prepay the civil penalty without appearing in District Court.

(d) (1) Subject to the provisions of paragraphs (2) through (4) of this subsection, an agency shall mail to an owner liable under subsection (c) of this section a citation that shall include:

(i) The name and address of the registered owner of the vehicle;

(ii) The registration number of the motor vehicle involved in the violation;

(iii) The violation charged;

(iv) The location where the violation occurred;

(v) The date and time of the violation;

(vi) A copy of the recorded image;

(vii) The amount of the civil penalty imposed and the date by which the civil penalty should be paid;

(viii) A signed statement by a duly authorized law enforcement officer employed by or under contract with an agency that, based on inspection of recorded images, the motor vehicle was being operated in violation of this subtitle;

(ix) A statement that recorded images are evidence of a violation of this subtitle;

(x) Information advising the person alleged to be liable under this section of the manner and time in which liability as alleged in the citation may be contested in the District Court; and

(xi) Information advising the person alleged to be liable under this section that failure to pay the civil penalty or to contest liability in a timely manner:

1. Is an admission of liability;
2. May result in the refusal by the Administration to register the motor vehicle; and
3. May result in the suspension of the motor vehicle registration.

(2) An agency may mail a warning notice instead of a citation to the owner liable under subsection (c) of this section.

(3) Except as provided in subsection (f)(4) of this section, an agency may not mail a citation to a person who is not an owner.

(4) Except as provided in subsection (f)(4) of this section, a citation issued under this section shall be mailed no later than 2 weeks after the alleged violation if the vehicle is registered in this State, and 30 days after the alleged violation if the vehicle is registered in another state.

(5) A person who receives a citation under paragraph (1) of this subsection may:

(i) Pay the civil penalty, in accordance with instructions on the citation, directly to the political subdivision; or

(ii) Elect to stand trial in the District Court for the alleged violation.

(e) (1) A certificate alleging that the violation of this subtitle occurred and the requirements under subsection (b) of this section have been satisfied, sworn to, or affirmed by [an agent or employee of] **A DULY AUTHORIZED LAW ENFORCEMENT OFFICER EMPLOYED BY OR UNDER CONTRACT WITH** an agency, based on inspection of recorded images produced by a speed monitoring system, shall be evidence of the facts contained in the certificate and shall be admissible in a proceeding alleging a violation under this section without the presence or testimony of

the speed monitoring system operator who performed the requirements under subsection (b) of this section.

(2) If a person who received a citation under subsection (d) of this section desires the speed monitoring system operator to be present and testify at trial, the person shall notify the court and the State in writing no later than 20 days before trial.

(3) Adjudication of liability shall be based on a preponderance of evidence.

(f) (1) The District Court may consider in defense of a violation:

(i) Subject to paragraph (2) of this subsection, that the motor vehicle or the registration plates of the motor vehicle were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation;

(ii) Subject to paragraph (3) of this subsection, evidence that the person named in the citation was not operating the vehicle at the time of the violation; and

(iii) Any other issues and evidence that the District Court deems pertinent.

(2) To demonstrate that the motor vehicle or the registration plates were stolen before the violation occurred and were not under the control or possession of the owner at the time of the violation, the owner shall submit proof that a police report regarding the stolen motor vehicle or registration plates was filed in a timely manner.

(3) To satisfy the evidentiary burden under paragraph (1)(ii) of this subsection, the person named in the citation shall provide to the District Court a letter, sworn to or affirmed by the person and mailed by certified mail, return receipt requested, that:

(i) States that the person named in the citation was not operating the vehicle at the time of the violation; and

(ii) Includes any other corroborating evidence.

(4) (i) If the District Court finds that the person named in the citation was not operating the vehicle at the time of the violation or receives evidence under paragraph (3) of this subsection identifying the person driving the vehicle at the time of the violation, the clerk of the court shall provide to the agency issuing the citation a copy of any evidence substantiating who was operating the vehicle at the time of the violation.

(ii) On receipt of substantiating evidence from the District Court under subparagraph (i) of this paragraph, an agency may issue a citation as provided in subsection (d) of this section to the person who the evidence indicates was operating the vehicle at the time of the violation.

(iii) A citation issued under subparagraph (ii) of this paragraph shall be mailed no later than 2 weeks after receipt of the evidence from the District Court.

(g) If a person liable under this section does not pay the civil penalty or contest the violation, the Administration:

(1) May refuse to register or reregister the motor vehicle cited for the violation; or

(2) May suspend the registration of the motor vehicle cited for the violation.

(h) A violation for which a civil penalty is imposed under this section:

(1) Is not a moving violation for the purpose of assessing points under § 16–402 of this article;

(2) May not be recorded by the Administration on the driving record of the owner or driver of the vehicle;

(3) May be treated as a parking violation for purposes of § 26–305 of this article; and

(4) May not be considered in the provision of motor vehicle insurance coverage.

(i) In consultation with the appropriate local government agencies, the Chief Judge of the District Court shall adopt procedures for the issuance of citations, the trial of civil violations, and the collection of civil penalties under this section.

(j) (1) An agency or an agent or contractor designated by the agency shall administer and process civil citations issued under this section in coordination with the District Court.

(2) If a contractor IN ANY MANNER operates a speed monitoring system OR ADMINISTERS OR PROCESSES CITATIONS GENERATED BY A SPEED MONITORING SYSTEM on behalf of a local jurisdiction, the contractor's fee may not be contingent ON A PER-TICKET BASIS on the number of citations issued or paid.

SECTION 2. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, a presently existing obligation, contract, or contract right may not be impaired in any way by this Act and this Act does not abrogate any current obligation, contract, or contract right in existence before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That on or after October 1, 2014, but before the termination date of an obligation, contract, or contract right existing on the effective date of this Act, a local jurisdiction may alter without penalty an obligation, contract, or contract right existing on the effective date of this Act to comply with the provisions of this Act if the governing body of the local jurisdiction provides in writing that the alteration would serve the public interest.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2013.”.

The preceding 2 amendments were read and not concurred in.

SB0207/400714/1

BY: Environmental Matters Committee

AMENDMENT TO SENATE BILL 207, AS AMENDED

On page 18 of the Environmental Matters Committee Amendments (SB207/490412/1), strike beginning with “on” in line 12 of Amendment No. 2 down through “interest” in line 17 and substitute “a local jurisdiction shall alter without penalty an obligation, contract, or contract right existing on October 1, 2013 to comply with the provisions of this Act by October 1, 2014”.

The preceding amendment was read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: SB 0207

SPONSOR: Sen Brochin, et al

SUBJECT: Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Raskin, Chairman

Senator Brochin

Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: SB 0161

SPONSOR: Sen Kelley

SUBJECT: Real Property – Common Ownership Communities – Foreclosure of Liens

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Muse, Chair
Senator Zirkin
Senator Shank

The House appoints:
Delegate Niemann, Chairman
Delegate Beidle, and
Delegate Norman.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: HB 0753
SPONSOR: Del Malone, et al
SUBJECT: Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforc, and Penalties

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Malone, Chairman
Delegate Stein, and
Delegate McMillan.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0753
SPONSOR: Del Malone, et al
SUBJECT: Motor Vehicles – Use of Wireless Communication Device – Prohibited Acts, Enforc, and Penalties

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Malone, Chair
Delegate Stein
Delegate McMillan

The Senate appoints:
Senator Brochin, Chairman
Senator Raskin
Senator Shank.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0184
SPONSOR: Del Lafferty, et al
SUBJECT: Income Tax Credit – Oyster Shell Recycling

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Barve, Chairman
Delegate Branch, and
Delegate Afzali.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0184
SPONSOR: Del Lafferty, et al
SUBJECT: Income Tax Credit – Oyster Shell Recycling

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Barve, Chair
Delegate Branch
Delegate Afzali

The Senate appoints:
Senator Colburn, Chairman
Senator Robey
Senator Madaleno.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: HB 0372

SPONSOR: Del Barve, et al

SUBJECT: Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Frick, Chairman
Delegate A. Miller, and
Delegate Serafini.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 0372

SPONSOR: Del Barve, et al

SUBJECT: Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Frick, Chair
Delegate A. Miller
Delegate Serafini

The Senate appoints:
Senator Peters, Chairman
Senator Robey
Senator DeGrange.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

THE COMMITTEE ON RULES REPORT #17

Senator Klausmeier, Chair, for the Committee on Rules moved the following bill be re-referred to the Committee on Judicial Proceedings:

House Bill 789 – Delegates Ivey, Anderson, Arora, Barkley, Barnes, Barve, Bobo, Braveboy, Carr, Carter, Conaway, Cullison, Davis, Dumais, Feldman, Frick, Frush, Gaines, Gilchrist, Glenn, Griffith, Gutierrez, Haynes, Healey, Hixson, Holmes, Howard, Hubbard, Huckler, Jones, Kaiser, A. Kelly, Kramer, Lee, Luedtke, McIntosh, A. Miller, Mitchell, Mizeur, Murphy, Nathan-Pulliam, Niemann, Oaks, Pena-Melnyk, Proctor, Reznik, B. Robinson, S. Robinson, Rosenberg, Stukes, Summers, Swain, V. Turner, Valderrama, Vallario, Vaughn, Waldstreicher, A. Washington, M. Washington, and Zucker

AN ACT concerning

~~Vehicle Laws – Lawful Status Requirement – Repeal~~
~~(Maryland Highway Safety Act of 2013)~~

Read the first time and 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:

House Bill 929 – Delegates Malone ~~and McMillan~~, McMillan, and Conaway

AN ACT concerning

Motor Vehicles – Speed Monitoring Systems – Local Jurisdictions

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

THE COMMITTEE ON FINANCE REPORT #35

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

House Bill 1343 – Delegates Glenn, Anderson, Bromwell, Carter, Conaway, Cullison, Frush, Hubbard, Kach, A. Kelly, Mitchell, Morhaim, Murphy, Oaks, Pena-Melnyk, Stukes, Tarrant, ~~and M. Washington~~ M. Washington, Hammen, Pendergrass, Kipke, McDonough, Nathan-Pulliam, Elliott, Frank, Ready, and V. Turner

AN ACT concerning

Department of Health and Mental Hygiene – Workgroup on Cancer Clusters and Environmental Causes of Cancer

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:

House Bill 1433 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – School Facilities Surcharge
PG 420-13**

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Ramirez moved, duly seconded, to make the Bill and Report a Special Order for the end of today's business.

The motion was adopted.

AMENDED IN THE HOUSE

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~~ Zirkin, Montgomery, Gladden, Kasemeyer, Jones-Rodwell, Manno, McFadden, Muse, and Peters

AN ACT concerning

Election Law – Improving Access to Voting

STATUS OF BILL: QUESTION IS: “WILL THE SENATE CONCUR IN THE HOUSE AMENDMENTS?”

Senator Conway moved that the Senate concur in the House amendments.

SB0279/965060/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 279

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 12 on page 2, inclusive, and substitute:

“FOR the purpose of requiring an individual who applies to register to vote or update an existing voter registration online to provide certain information; 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 accessible online application; requiring an individual who requests an absentee ballot online to provide certain information; requiring a local board of elections to provide a voter with an absentee ballot in the manner requested by the voter; authorizing the State Board to provide an accessible optional online ballot marking tool; specifying certain certification requirements for the ballot marking tool; requiring a local board to follow certain procedures during the canvass of votes cast using an online 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; increasing the amount of a certain fine that may be imposed for certain violations of election law; requiring the State Board to conduct a certain analysis of extending the early voting period and submit the analysis to certain committees of the General Assembly on or before a certain date; requiring the State Board to review and conduct an analysis of wait times at polling places and submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the State Board to conduct a certain usability and accessibility evaluation of an online ballot marking tool and submit a certain report to certain committees of the General Assembly on or before a certain date; requiring the State Board to engage an independent consultant to study and make recommendations on improving the security of certain technology used in the conduct of elections; requiring the independent consultant to submit a certain report to certain committees of the General Assembly on or before a certain date; defining a certain term; providing for a delayed effective date for certain provisions of this Act; and generally relating to election law and improving access to voting.

BY repealing and reenacting, with amendments,

Article – Election Law

Section 3–204.1, 3–302, 9–305, 9–306, 9–310, 10–301.1, and 16–201

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)

BY adding to

Article – Election Law

Section 3–305 and 9–308.1

Annotated Code of Maryland

(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On pages 2 through 11, strike in their entirety the lines beginning with line 15 on page 2 through line 20 on page 11, inclusive, and substitute:

“Article – Election Law3–204.1.

(a) The State Board may operate an online voter registration system that allows an individual to electronically:

(1) apply to become a registered voter; or

(2) change the individual’s name, address, or party affiliation in the individual’s existing voter registration record.

(b) To apply to register to vote through the online voter registration system, an individual shall:

(1) complete the electronic voter registration application;

(2) affirmatively attest, subject to the penalties of perjury, that the information contained in the voter registration application is true and that the applicant meets all of the qualifications to become a registered voter;

(3) provide one of the following:

(i) a Maryland driver’s license number or Maryland identification card number, **THE LAST FOUR DIGITS OF THE INDIVIDUAL’S SOCIAL SECURITY NUMBER, AND OTHER INFORMATION IDENTIFIED BY THE STATE BOARD THAT IS NOT GENERALLY AVAILABLE TO THE PUBLIC BUT IS READILY AVAILABLE TO THE INDIVIDUAL;** or

(ii) if the individual is an absent uniformed services voter or overseas voter as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act and does not have a Maryland driver’s license or Maryland identification card, a Social Security number; and

(4) affirmatively consent to the use of one of the following as the individual's signature for the application being submitted:

(i) the electronic copy of the individual's signature that is on file with the Motor Vehicle Administration; or

(ii) the individual's Social Security number.

(c) To change an individual's name, address, or party affiliation in the individual's existing voter registration record, an individual shall:

(1) complete the electronic voter registration application;

(2) affirmatively attest, subject to the penalties of perjury, that the information contained in the voter registration application is true and that the applicant meets all of the qualifications to be a registered voter;

(3) provide one of the following:

(i) a Maryland driver's license number or Maryland identification card number, **THE LAST FOUR DIGITS OF THE INDIVIDUAL'S SOCIAL SECURITY NUMBER, AND OTHER INFORMATION IDENTIFIED BY THE STATE BOARD THAT IS NOT GENERALLY AVAILABLE TO THE PUBLIC BUT IS READILY AVAILABLE TO THE INDIVIDUAL; OR**

(ii) [a Maryland voter identification number on the individual's voter notification card; or

(iii)] if the individual is an absent uniformed services voter or overseas voter as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act and does not have a Maryland driver's license or Maryland identification card, a Social Security number; and

(4) affirmatively consent to the use of one of the following as the individual's signature for the application being submitted:

(i) the electronic copy of the individual's signature that is on file with the Motor Vehicle Administration; **OR**

(ii) [the electronic copy of the individual's signature that is on file in the statewide voter registration list; or

(iii)] the individual's Social Security number.

(d) The Motor Vehicle Administration shall transmit an electronic copy of an individual's driver's license or identification card signature to the State Board within 5 days of being notified by the State Board that the individual submitted a voter registration application through the online voter registration system.

(e) The State Board may:

(1) take any additional measures it deems necessary to ensure the integrity and accuracy of voter registration applications submitted through the online voter registration system; and

(2) adopt any regulations necessary to administer the online voter registration system.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

3–302.

(a) [Registration] EXCEPT AS PROVIDED UNDER § 3–305 OF THIS SUBTITLE, REGISTRATION is closed beginning at 9 p.m. on the 21st day preceding an election until the 11th day after that election.

(b) A voter registration application received when registration is closed shall be accepted and retained by a local board, but the registration of the applicant does not become effective until registration reopens.

(c) A voter registration application that is received by the local board after the close of registration shall be considered timely received for the next election provided:

(1) there is sufficient evidence, as determined by the local board pursuant to regulations adopted by the State Board, that the application was mailed on or before registration was closed for that election; or

(2) the application was submitted by the voter to the Motor Vehicle Administration, a voter registration agency, another local board, or the State Board prior to the close of registration.

3-305.

(A) DURING EARLY VOTING, AN INDIVIDUAL MAY APPEAR IN PERSON AT AN EARLY VOTING CENTER IN THE INDIVIDUAL'S COUNTY OF RESIDENCE AND APPLY TO REGISTER TO VOTE OR CHANGE THE VOTER'S ADDRESS ON AN EXISTING VOTER REGISTRATION.

(B) (1) WHEN APPLYING TO REGISTER TO VOTE OR CHANGE AN ADDRESS ON AN EXISTING REGISTRATION DURING EARLY VOTING, THE APPLICANT SHALL PROVIDE PROOF OF RESIDENCY.

(2) THE APPLICANT SHALL PROVE RESIDENCY BY SHOWING THE ELECTION JUDGE:

(I) A MARYLAND DRIVER'S LICENSE OR MARYLAND IDENTIFICATION CARD THAT CONTAINS THE APPLICANT'S CURRENT ADDRESS; OR

(II) IF THE APPLICANT DOES NOT HAVE A DRIVER'S LICENSE OR IDENTIFICATION CARD THAT CONTAINS THE APPLICANT'S CURRENT ADDRESS, A COPY OF AN OFFICIAL DOCUMENT THAT:

1. MEETS THE REQUIREMENTS ESTABLISHED BY THE STATE BOARD; AND

2. CONTAINS THE APPLICANT'S NAME AND CURRENT ADDRESS.

(C) (1) WHEN AN INDIVIDUAL APPLIES TO REGISTER TO VOTE AT AN EARLY VOTING CENTER, THE ELECTION JUDGE SHALL DETERMINE WHETHER THE APPLICANT RESIDES IN THE COUNTY IN WHICH THE APPLICANT APPLIED AND IS QUALIFIED TO BECOME A REGISTERED VOTER.

(2) IF THE VOTER IS A RESIDENT OF THE COUNTY AND IS QUALIFIED TO REGISTER TO VOTE, THE ELECTION JUDGE SHALL:

(I) ISSUE THE VOTER A VOTING AUTHORITY CARD;

(II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD;

AND

(III) ISSUE THE VOTER A BALLOT.

(D) (1) WHEN A VOTER APPLIES TO CHANGE THE VOTER'S ADDRESS DURING EARLY VOTING, THE ELECTION JUDGE SHALL DETERMINE WHETHER THE VOTER RESIDES IN THE COUNTY IN WHICH THE VOTER SEEKS TO VOTE.

(2) IF THE VOTER IS A RESIDENT OF THE COUNTY, THE ELECTION JUDGE SHALL:

(I) ISSUE THE VOTER A VOTING AUTHORITY CARD;

(II) HAVE THE VOTER SIGN THE VOTER AUTHORITY CARD;

AND

(III) ISSUE THE VOTER THE APPROPRIATE BALLOT FOR THE VOTER'S NEW ADDRESS.

(E) THE STATE BOARD SHALL ADOPT REGULATIONS AND PROCEDURES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS SECTION FOR THE ADMINISTRATION OF VOTER REGISTRATION DURING EARLY VOTING.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law9–305.

(a) [An application for] A VOTER MAY REQUEST an absentee ballot[, signed by the voter, may be made] BY COMPLETING AND SUBMITTING:

(1) [on a form produced by the local board and supplied to the voter] THE STATE BOARD APPROVED ABSENTEE BALLOT APPLICATION;

(2) [on] a form provided under federal law; [or]

(3) [in] a written request that includes:

(i) the voter's name [and], residence address, AND SIGNATURE; and

(ii) the address to which the ballot is to be mailed, if different from the residence address; OR

(4) AS SPECIFIED IN SUBSECTION (C) OF THIS SECTION, THE ACCESSIBLE ONLINE ABSENTEE BALLOT APPLICATION PROVIDED BY THE STATE BOARD.

(b) [Except for a late application under subsection (c) of this section, an] AN application for an absentee ballot must be received by a local board:

(1) IF THE VOTER REQUESTS THE ABSENTEE BALLOT BE SENT BY MAIL OR FACSIMILE TRANSMISSION, not later than the Tuesday preceding the election, at the time specified in the guidelines;

(2) IF THE VOTER REQUESTS THE ABSENTEE BALLOT BE SENT BY THE INTERNET, NOT LATER THAN THE FRIDAY PRECEDING THE ELECTION, AT THE TIME SPECIFIED IN THE GUIDELINES; OR

(3) IF THE VOTER OR THE VOTER'S DULY AUTHORIZED AGENT APPLIES FOR AN ABSENTEE BALLOT IN PERSON AT THE LOCAL BOARD OFFICE, NOT LATER THAN THE CLOSING OF THE POLLS ON ELECTION DAY.

[(c) (1) Beginning on the Wednesday preceding the election, through the closing of the polls on election day, a registered voter or the voter's duly authorized agent may apply in person for an absentee ballot at the office of the local board.

(2) A special application for an absentee ballot issued under this subsection shall be supplied by the staff of the local board to the voter or the voter's duly authorized agent.

(3) The application shall be made under penalty of perjury but without a formal oath.

(4) After review of the application, the staff shall issue an absentee ballot to the voter or the voter's duly authorized agent.]

(C) THE ONLINE ABSENTEE BALLOT APPLICATION PROVIDED BY THE STATE BOARD SHALL REQUIRE THE APPLICANT TO PROVIDE:

(1) A MARYLAND DRIVER'S LICENSE NUMBER OR MARYLAND IDENTIFICATION CARD NUMBER, THE LAST FOUR DIGITS OF THE APPLICANT'S SOCIAL SECURITY NUMBER, AND OTHER INFORMATION IDENTIFIED BY THE STATE BOARD THAT IS NOT GENERALLY AVAILABLE TO THE PUBLIC BUT IS READILY AVAILABLE TO THE APPLICANT; OR

(2) IF THE APPLICANT IS AN ABSENT UNIFORMED SERVICES VOTER OR OVERSEAS VOTER AS DEFINED IN THE FEDERAL UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT AND DOES NOT HAVE A MARYLAND DRIVER'S LICENSE OR MARYLAND IDENTIFICATION CARD, A SOCIAL SECURITY NUMBER.

9-306.

(a) Promptly after receipt of an application, the election director shall review the application and determine whether the applicant qualifies to vote by absentee ballot.

(b) If the applicant qualifies to vote by absentee ballot, the local board shall [send] PROVIDE the ballot BY ONE OF THE FOLLOWING METHODS REQUESTED BY THE VOTER:

- (1) MAIL;
- (2) FACSIMILE TRANSMISSION;
- (3) THE INTERNET; OR
- (4) BY HAND DURING AN IN-PERSON TRANSACTION.

(C) ONCE BALLOTS ARE AVAILABLE, THE LOCAL BOARD SHALL PROVIDE THE BALLOT TO A QUALIFIED APPLICANT:

- (1) as soon as practicable after receipt of the request; or
- (2) [if the ballots have not been received from the printer, as soon as practicable after the local board receives delivery of the ballots] IMMEDIATELY FOR AN IN-PERSON TRANSACTION WITH A VOTER OR THE VOTER'S DULY AUTHORIZED AGENT.

[(c)] (D) (1) If the members of the local board determine that the applicant is not entitled to vote by absentee ballot, the local board shall notify the applicant as soon as practicable after receipt of the application of the reasons for the rejection.

(2) (i) The local board may delegate the determination under paragraph (1) of this subsection to the staff of the local board.

(ii) If the determination has been delegated, the applicant may appeal the rejection to the members of the local board, who shall decide the appeal as expeditiously as practicable.

[(d)] (E) Not more than one absentee ballot may be issued to a voter unless the election director of the local board has reasonable grounds to believe that an absentee ballot previously issued to the voter has been lost, destroyed, or spoiled.

9-308.1.(A) IN THIS SECTION:

(1) "ONLINE BALLOT MARKING TOOL" INCLUDES A SYSTEM THAT ALLOWS A VOTER TO:

(I) ACCESS A BLANK BALLOT THROUGH THE INTERNET;

(II) ELECTRONICALLY MARK THE BALLOT WITH THE VOTER'S SELECTIONS; AND

(III) PRINT A PAPER COPY OF THE MARKED BALLOT FOR MAILING TO A LOCAL BOARD; AND

(2) "ONLINE BALLOT MARKING TOOL" DOES NOT INCLUDE A SYSTEM THAT IS CAPABLE OF STORING, TABULATING, OR TRANSMITTING VOTES OR VOTED BALLOTS BY ELECTRONIC OR ELECTROMAGNETIC MEANS THROUGH THE INTERNET.

(B) THE STATE BOARD MAY PROVIDE AN ACCESSIBLE OPTIONAL ONLINE BALLOT MARKING TOOL FOR USE BY A VOTER WHO REQUESTED TO HAVE THE ABSENTEE BALLOT SENT BY THE INTERNET.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE STATE BOARD SHALL CERTIFY THAT AN ONLINE BALLOT MARKING TOOL SATISFIES ALL OF THE CERTIFICATION REQUIREMENTS UNDER § 9-102(D) OF THIS TITLE BEFORE APPROVING AN ONLINE BALLOT MARKING TOOL FOR USE BY VOTERS.

(2) AN ONLINE BALLOT MARKING TOOL IS NOT REQUIRED TO SATISFY THE REQUIREMENTS OF:

(I) § 9-102(D)(2) OF THIS TITLE IF THE U.S. ELECTION ASSISTANCE COMMISSION HAS NOT APPROVED SPECIFIC PERFORMANCE AND TEST STANDARDS FOR ONLINE BALLOT MARKING TOOLS; OR

(II) § 9-102(D)(1)(III) OF THIS TITLE.

(D) (1) THIS SUBSECTION APPLIES IF AN ONLINE BALLOT MARKING TOOL UTILIZES A BAR CODE THAT IS USED TO GENERATE A BALLOT THAT IS ACCEPTABLE FOR MACHINE TABULATION.

(2) A LOCAL BOARD SHALL COMPARE THE VOTE IN EACH CONTEST ON THE BALLOT MARKED BY THE VOTER TO THE VOTE IN EACH CONTEST ON THE BALLOT GENERATED FROM THE BAR CODE DURING THE CANVASS.

(3) IF THERE IS A DISCREPANCY IN ANY CONTEST BETWEEN THE VOTE ON THE BALLOT MARKED BY THE VOTER AND THE VOTE ON THE BALLOT GENERATED FROM THE BAR CODE, THE VOTE ON THE BALLOT MARKED BY THE VOTER SHALL BE CONSIDERED VALID AND SHALL BE COUNTED.

9-310.

(a) (1) THIS SUBSECTION APPLIES ONLY TO AN ABSENTEE BALLOT THAT IS SENT BY MAIL.

(2) An absentee ballot shall be enclosed in specially printed envelopes, the form and content of which shall be prescribed by the State Board.

[(b) (1)] (3) (I) A local board may use either two envelopes or three envelopes.

[(2)] (II) If two envelopes are used, the inner envelope shall be designated the “ballot/return envelope”, and, when issued, it shall fit inside the envelope designated the “outgoing envelope”.

[(3)] (III) If three envelopes are used, the innermost envelope shall be designated the “ballot envelope”, which shall fit inside the envelope designated the

“return envelope”, both of which, when issued, shall fit inside the envelope designated the “outgoing envelope”.

[(c)] (4) When voted and returned to the local board, an absentee ballot shall be enclosed in a ballot envelope or ballot/return envelope, on which has been printed an oath prescribed by the State Board.

(B) IF AN ABSENTEE BALLOT IS SENT BY THE INTERNET OR FACSIMILE TRANSMISSION, THE LOCAL BOARD SHALL PROVIDE THE VOTER WITH AN ENVELOPE TEMPLATE, THE OATH PRESCRIBED BY THE STATE BOARD, AND INSTRUCTIONS FOR MARKING AND RETURNING THE ABSENTEE BALLOT.

10-301.1.

(a) Except as provided under Title 9, Subtitle 3 of this article, during any regularly scheduled primary or general election a voter may vote:

(1) in the voter’s assigned precinct on election day; or

(2) at an early voting center in the voter’s county of residence on any early voting day in accordance with this section.

(b) (1) Each county shall have at least one early voting center established in the county as prescribed in this subsection.

(2) A county with fewer than [150,000] 125,000 registered voters shall have one early voting center established in the county.

(3) A county with more than [150,000] 125,000 REGISTERED VOTERS but fewer than 300,000 registered voters shall have three early voting centers established in the county.

(4) A county with more than 300,000 registered voters BUT FEWER THAN 450,000 REGISTERED VOTERS shall have five early voting centers established in the county.

(5) A COUNTY WITH MORE THAN 450,000 REGISTERED VOTERS SHALL HAVE EIGHT EARLY VOTING CENTERS.

(6) IN ADDITION TO THE EARLY VOTING CENTERS REQUIRED IN THIS SUBSECTION, EACH COUNTY MAY ESTABLISH ONE ADDITIONAL EARLY VOTING CENTER IF THE STATE BOARD, IN COLLABORATION WITH THE LOCAL BOARD, AND THE GOVERNING BODY OF THE COUNTY AGREE TO ESTABLISH AN ADDITIONAL EARLY VOTING CENTER.

(c) No later than 6 months before a primary election, the State Board, in collaboration with the local board in each county, shall designate each early voting center in that county.

(d) Each early voting center shall be open for voting as follows:

[(1) for the 2010 gubernatorial primary and general elections:

(i) beginning the second Friday before a primary or general election through the Thursday before the elections, but excluding Sunday; and

(ii) during the hours between 10 a.m. and 8 p.m.; and

(2) for the 2012 presidential primary and general elections:

(i) beginning the second Saturday before a primary or general election through the Thursday before the elections; and

(ii) 1. during the hours between 10 a.m. and 8 p.m. on the Saturday and the Monday through the Thursday during the early voting period; and

2. during the hours between 12 noon and 6 p.m. on the Sunday during the early voting period.]

(1) BEGINNING THE SECOND THURSDAY BEFORE A PRIMARY OR GENERAL ELECTION THROUGH THE THURSDAY BEFORE THE ELECTION; AND

(2) DURING THE FOLLOWING HOURS:

(1) IN A PRESIDENTIAL GENERAL ELECTION, DURING THE HOURS BETWEEN 8 A.M. AND 8 P.M. EACH EARLY VOTING DAY; AND

(II) IN ALL OTHER ELECTIONS, DURING THE HOURS BETWEEN 10 A.M. AND 8 P.M. EACH EARLY VOTING DAY.

(e) Each early voting center shall satisfy the requirements of § 10–101 of this title.

(f) Beginning 30 days prior to each early voting period the State Board and each local board shall undertake steps to inform the public about early voting and the location of early voting centers in each county, including:

- (1) a series of public service media announcements;
- (2) mailings to all registered voters in each county; and
- (3) other measures as appropriate.

(g) Except as expressly provided in this section, any provision of this article that applies to voting on election day also applies to early voting.

(h) The State Board shall adopt regulations and guidelines in accordance with the requirements of this section for the conduct of early voting.

16–201.

(a) A person may not willfully and knowingly:

(1) (i) impersonate another person in order to vote or attempt to vote; or

(ii) vote or attempt to vote under a false name;

(2) vote more than once for a candidate for the same office or for the same ballot question;

(3) vote or attempt to vote more than once in the same election, or vote in more than one election district or precinct;

(4) vote in an election district or precinct without the legal authority to vote in that election district or precinct;

(5) influence or attempt to influence a voter's voting decision through the use of force, threat, menace, intimidation, bribery, reward, or offer of reward;

(6) influence or attempt to influence a voter's decision whether to go to the polls to cast a vote through the use of force, fraud, threat, menace, intimidation, bribery, reward, or offer of reward; or

(7) engage in conduct that results or has the intent to result in the denial or abridgement of the right of any citizen of the United States to vote on account of race, color, or disability.

(b) Except as provided in § 16–1002 of this title, a person who violates this section is guilty of a misdemeanor and on conviction is subject to a fine of not more than ~~[\$2,500]~~ **\$5,000** or imprisonment for not more than 5 years or both.

(c) A person who violates this section is subject to § 5–106(b) of the Courts Article.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) The State Board of Elections shall conduct a detailed analysis of options and administrative requirements for extending the early voting period to the Sunday before election day.

(b) As part of its analysis under subsection (a) of this section, the State Board shall evaluate at least the following options:

(1) supplying paper supplemental lists with the names of voters who voted at an early voting center to polling places on election day; and

(2) updating the electronic poll books used on election day with the names of voters who voted at an early voting center.

(c) The analysis shall address the following:

(1) technical changes required to support early voting through the Sunday before election day;

(2) the impact of extending early voting to the Sunday before election day on other election procedures;

(3) an estimate of the fiscal impact of extending early voting to the Sunday before election day; and

(4) the potential effect on voter turnout of extending the early voting period to the Sunday before election day.

(d) The State Board shall consult with elections officials in at least 5 other states that offer early voting through the Sunday before election day and complete a written analysis of the policies and practices of those states and how they might be applied in Maryland.

(e) The State Board shall submit a report of its findings and recommendations, including the information required under subsection (d) of this section, on or before December 31, 2013, to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means in accordance with § 2-1246 of the State Government Article.

SECTION 5. AND BE IT FURTHER ENACTED, That the State Board of Elections shall:

(a) (1) review the maximum wait times for Maryland voters in the 2010 and 2012 primary and general elections and identify the causes for wait times of more than 30 minutes; and

(2) propose target maximum wait times for voters at early voting centers and polling places at primary and general elections in the State;

(b) review and conduct a detailed analysis concerning the deployment of voting equipment and related infrastructure and the staffing practices and procedures utilized by local boards of election at early voting centers during the early voting period and at polling places on election day to determine what adjustments could be implemented to reduce the maximum wait times at early voting centers during the

early voting period and polling places on election day to 30 minutes or, alternatively, to 60 minutes;

(c) if it determines that additional voting equipment and related infrastructure and staff are needed to reduce the maximum wait times at early voting centers during the early voting period and polling places on election day to 30 minutes or, alternatively, to 60 minutes, provide an estimate of the fiscal costs of implementing each of those standards; and

(d) on or before December 31, 2013, submit a report of its findings and recommendations to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means in accordance with § 2–1246 of the State Government Article.

SECTION 6. AND BE IT FURTHER ENACTED, That:

(a) The State Board of Elections shall conduct an accessibility and usability evaluation of the online ballot marking tool authorized under this Act to assess its accessibility and usability by voters with disabilities, including:

(1) a public demonstration of the system; and

(2) an evaluation by individuals representing a cross-section of voters with disabilities.

(b) The State Board shall conduct the accessibility and usability evaluation under this section before approving an online ballot marking tool for use by voters with disabilities.

(c) The State Board shall submit a report summarizing the results of the evaluation under this section on or before December 31, 2013, to the Senate Education, Health, and Environmental Affairs Committee and House Committee on Ways and Means in accordance with § 2–1246 of the State Government Article.

SECTION 7. AND BE IT FURTHER ENACTED, That:

(a) The State Board of Elections shall engage an independent consultant to study and make recommendations on improving the security of:

(1) online delivery and marking of absentee ballots and the return and tabulation of absentee ballots that are delivered and marked electronically;

(2) other online voter services, including online voter registration and online absentee ballot applications; and

(3) any other voting technology specified by the State Board.

(b) The independent consultant shall submit a report of its findings and recommendations on or before December 31, 2013, to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means in accordance with § 2-1246 of the State Government Article.

SECTION 8. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect January 1, 2016.

SECTION 9. AND BE IT FURTHER ENACTED, That except as provided in Section 8 of this Act, this Act shall take effect July 1, 2013.”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 38 Negative – 9 (See Roll Call No. 1212)

House Bill 508 – Delegates Carr, Hucker, Niemann, and Reznik

AN ACT concerning

Environment – Local Stormwater Management Charges – State Property

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

HB0508/704336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 508
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Management Charges – State Property” and substitute “Remediation Fee – Limitation and Workgroup”; strike beginning with “providing” in line 15 down through “date” in line 24 and substitute “limiting the amount of a certain stormwater remediation fee assessed on property owned by a certain charitable nonprofit group or organization; establishing the Workgroup to Study Current Stormwater Management and Remediation Actions for State and Local Property; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study certain matters and make a certain determination; requiring the Workgroup to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act”; in line 25, after “to” insert “local”; and in the same line, after “management” insert “and remediation”.

On page 2, in line 8, strike “and (f)(1)”.

AMENDMENT NO. 2

On page 5, in line 7, strike “Except as provided in” and substitute “**SUBJECT TO**”; in lines 7, 11, 22, and 33, in each instance, strike the bracket; in line 7, strike “**PARAGRAPHS**”; in the same line, strike “**AND (3)**”; in line 11, after “(2)” insert “**(1)**”; after line 14, insert:

“(II) A STORMWATER REMEDIATION FEE ASSESSED UNDER THIS SECTION ON PROPERTY OWNED BY A CHARITABLE NONPROFIT GROUP OR ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OR (D) OF THE INTERNAL REVENUE CODE MAY NOT EXCEED \$250 PER 1/2 ACRE OF IMPERVIOUS SURFACE.”;

strike in their entirety lines 15 through 21, inclusive; and in lines 22 and 33, strike “**(4)**” and “**(5)**”, respectively.

On page 6, strike in their entirety lines 3 through 10, inclusive.

AMENDMENT NO. 3

On page 6, after line 10, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup to Study Current Stormwater Management and Remediation Actions for State and Local Property.

(b) The Workgroup consists of the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of the Environment, or the Secretary's designee;

(4) the Secretary of Budget and Management, or the Secretary's designee;

(5) two representatives of the Maryland Municipal League, appointed by the Maryland Municipal League; and

(6) two representatives of the Maryland Association of Counties, appointed by the Maryland Association of Counties.

(c) The members of the Workgroup shall elect a chair from among its members.

(d) The Department of the Environment shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) study stormwater management and remediation actions currently undertaken for property owned by units of State, county, and municipal government; and

(2) determine whether it is appropriate for local governments to impose a stormwater remediation fee on property owned by units of State, county, and municipal government.

(g) On or before December 31, 2013, the Workgroup shall report its findings and recommendations to the General Assembly in accordance with § 2-1246 of the State Government Article.”;

in line 11, strike “2.” and substitute “3.”; and in line 12, strike “July 1, 2014” and substitute “June 1, 2013. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of May 31, 2014, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect”.

The preceding 3 amendments were read only.

Senator Conway moved, duly seconded, to make the Bill and Amendments a Special Order for the end of today’s business.

The motion was adopted.

House Bill 153 – Delegates Anderson, Vallario, Clippinger, Cluster, Conaway, Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valderrama

AN ACT concerning

Office of the Public Defender – Representation at Bail Hearing – Provisional

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT AS AMENDED.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

House Bill 1101 – Delegates Morhaim, Glenn, Hammen, Pendergrass, Elliott, McIntosh, Hixson, Barve, Branch, Feldman, Tarrant, Barnes, Cane, McHale, Malone, F. Turner, Kach, Clagett, Cluster, Hubbard, Aumann, Lafferty, Frank, Rosenberg, Ivey, ~~Glenn~~, Love, Stein, Vaughn, Haynes, Gutierrez, Carr, Cullison, Stukes, Bobo, Cardin, M. Washington,

A. Kelly, Reznik, Kramer, Gilchrist, Frush, B. Robinson, Valderrama, Donoghue, Zucker, Weir, Conaway, Carter, Wilson, Glass, Oaks, Luedtke, S. Robinson, Mizeur, Niemann, Summers, A. Miller, Murphy, V. Turner, Nathan-Pulliam, Minnick, ~~and Arora~~ Arora, Holmes, Kaiser, Boteler, Smigiel, Braveboy, Hucker, and Lee

SECOND PRINTING

AN ACT concerning

~~**Medical Marijuana – Academic Medical Centers**~~
Medical Marijuana – Academic Medical Centers –
Natalie M. LaPrade Medical Marijuana Commission

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 42 Negative – 4 (See Roll Call No. 1213)

The Bill was then sent to the House of Delegates.

House Bill 854 – Delegates Dumais, Rosenberg, Valderrama, Valentino-Smith, and Waldstreicher

AN ACT concerning

Criminal Procedure – Expungement of Records – Not Criminally Responsible

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Read the third time and passed by yeas and nays as follows:

Affirmative – 26 Negative – 21 (See Roll Call No. 1214)

The Bill was then sent to the House of Delegates.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #31

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 1059 – Delegate Haynes

AN ACT concerning

Video Lottery Operation Licensees – Employee Data Collection**HB1059/789737/1**

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1059
(Third Reading File Bill)AMENDMENT NO. 1

On page 1, in line 2, before “Video” insert “Baltimore City –”; in the same line, strike “Licensees” and substitute “Licensee”; in line 3, after “a” insert “certain”; in line 4, strike “its” and substitute “certain”; in line 7, after “to” insert “a certain”; and in the same line, strike “licensees” and substitute “licensee”.

AMENDMENT NO. 2

On page 2, in line 5, strike “**ON OR BEFORE MARCH 31 OF EACH YEAR**” and substitute “**WITHIN 30 DAYS AFTER THE COMPLETION OF ITS FIRST YEAR OF OPERATIONS**”; in line 6, after “**LICENSEE**” insert “**IN BALTIMORE CITY**”; in line 8, after “**ITS**” insert “**STATE VIDEO LOTTERY**”; and in the same line, strike the third “**OF**” and substitute “**WHO WORKED IN THE STATE DURING**”.

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 46 Members present.

(See Roll Call No. 1215)

ADJOURNMENT

At 12:14 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 2:00 P.M. on Legislative Day April 3, 2013, Calendar Day, Monday, April 8, 2013, in memory of Vincent Roper.

Annapolis, Maryland
Legislative Day: April 3, 2013
Calendar Day: Monday, April 8, 2013
2:00 P.M. Session

The Senate met at 2:27 P.M.

QUORUM CALL

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

(See Roll Call No. 1220)

The Journal of April 2, 2013 was read and approved.

QUORUM CALL

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

(See Roll Call No. 1221)

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 286 **SPONSOR: Delegate Niemann**

**SUBJECT: Real Property – Common Ownership
Communities – Foreclosure of Liens**

THIRD READING CALENDAR **HOUSE NO. 37** **SENATE NO. 8**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendments (HB0286/558574/1) be rejected.

(2) That the attached Conference Committee Amendments (HB0286/483621/1) be adopted.

HB0286/483621/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 286

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, strike “, costs.”; and in the same line, after “and” insert “certain reasonable costs and”.

AMENDMENT NO. 2

On page 2, in line 31, strike “**COSTS**” and substitute “**REASONABLE COSTS**”; and in line 32, strike “**OR EFFORTS TO COLLECT**” and substitute “**AND NOT EXCEEDING THE AMOUNT OF**”.

Senate Members:

House Members:

 Chair, **C. Anthony Muse**

 Chair, **Doyle L. Niemann**

Bobby A. Zirkin

Pamela Beidle

Christopher B. Shank

Wayne Norman

 Read in the Senate:

 Read in the House of Delegates:

 Amendment Office Delivers Report to:

 Chief Clerk
 Secretary, Senate
Conference Committee Report read and adopted.Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1222)

The Bill was then sent to the House of Delegates.**CONFERENCE COMMITTEE REPORT**BILL NO.: **HB 1303**SPONSOR: **Delegate Dumais**

**SUBJECT: Maryland Legal Services Corporation Funding
– Abandoned Property Funds**

THIRD READING CALENDAR HOUSE NO. **37** SENATE NO. **8**

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Judicial Proceedings Committee Amendment (HB1303/298975/1) be rejected.

(2) That the attached Conference Committee Amendment (HB1303/603629/1) be adopted.

HB1303/603629/1

BY: Conference Committee

AMENDMENT TO HOUSE BILL 1303
(Third Reading File Bill)

On page 2, in line 12, strike “**\$3,000,000**” and substitute “**\$1,500,000**”.

Senate Members:

House Members:

Chair, **Brian E. Frosh**

Chair, **Guy Guzzone**

Lisa A. Gladden

Craig J. Zucker

Joseph M. Getty

Tony McConkey

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1223)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE SENATE

BILL: SB 0686

SPONSOR: Sen Garagiola

SUBJECT: Family Investment Program – Earned Income Disregard Pilot Program

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:

Senator Garagiola, Chair

Senator Glassman

Senator Klausmeier

The House appoints:

Delegate James, Chairman

Delegate Haynes, and

Delegate Eckardt.

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and ordered journalized.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 751	Sen. Robey	State Police Retirement

System – Reemployment of
Retirees

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE TO THE SENATE

BILL: HB 1006

SPONSOR: Del Anderson, et al

SUBJECT: Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Simmons, Chairman
Delegate K. Kelly, and
Delegate McComas.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: HB 1006

SPONSOR: Del Anderson, et al

SUBJECT: Criminal Records – Shielding – Nonviolent Misdemeanor Convictions

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:
Delegate Simmons, Chair
Delegate K. Kelly
Delegate McComas

The Senate appoints:
Senator Gladden, Chairman
Senator Jacobs
Senator Raskin.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
Secretary

Read and adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 1433 – Prince George’s County Delegation

AN ACT concerning

Prince George’s County – School Facilities Surcharge PG 420–13

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE FAVORABLE REPORT.

Senator Peters moved, duly seconded, to make the Bill and Report a Special Order for the end of today’s business.

The motion was adopted.

THE COMMITTEE ON BUDGET AND TAXATION REPORT #30

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

Senate Bill 743 – Senators Jones–Rodwell and Ferguson

AN ACT concerning

Baltimore City Public Schools Construction Authority

SB0743/399739/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 743

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Authority” and substitute “and Revitalization Act of 2013”.

On pages 1 and 2, strike in their entirety the lines beginning with line 3 on page 1 through line 22 on page 2, inclusive, and substitute:

“FOR the purpose of authorizing the Maryland Stadium Authority to issue bonds to finance the construction of or improvements to certain Baltimore City public school facilities in accordance with a certain 10–year plan for Baltimore City Public Schools and subject to certain limitations; specifying that the Authority and the Baltimore City Board of School Commissioners shall be responsible for certain public school facilities construction and improvement projects; prohibiting the interference with or limitation of the powers of the Authority and the Baltimore City Board of School Commissioners except under certain circumstances; specifying that certain expenses incurred by the Authority are payable only from certain funds; specifying that certain bonds issued under this Act are a limited obligation of the Authority payable solely from certain pledged money and are not a debt, liability, moral obligation, or a pledge of the faith and credit or taxing power of the State, the Authority, or any other governmental unit; requiring the Authority to obtain approval from the Board of Public Works before each issuance of bonds to finance improvements to Baltimore City public school facilities; requiring Baltimore City to deposit a certain amount of money into a certain fund by certain dates; requiring the Authority to transfer certain funds under certain circumstances; requiring the State Comptroller to withhold the distribution of certain income tax revenues to Baltimore City under certain circumstances; requiring the Authority to direct the State Comptroller to withhold certain payments to the Baltimore City Board of School

Commissioners and instead deposit that money into a certain fund under certain circumstances; requiring a certain joint report on or before a certain date year; providing for certain requirements for the Baltimore City Board of School Commissioners regarding certain buildable sites and certain operational responsibilities; requiring the Baltimore City Board of School Commissioners to obtain approval from the State Superintendent of Schools and the Board of Public Works prior to the disposal of certain facilities except in certain circumstances; providing for the payment of certain costs; requiring the Authority, Baltimore City, the Baltimore City Board of School Commissioners, and the Interagency Committee on School Construction to agree to a certain memorandum of understanding on or before a certain date; prohibiting the issuance of bonds to finance improvements to Baltimore City public school facilities unless the memorandum of understanding is signed by certain parties and the Baltimore City Board of School Commissioners has submitted a certain plan to certain committees of the General Assembly; specifying the requirements of the memorandum of understanding; requiring the State Superintendent of Schools to facilitate resolution in the event of a dispute of certain provisions in the memorandum of understanding; prohibiting the memorandum of understanding from taking effect until it is approved by the Board of Public Works; establishing the Baltimore City Public School Construction Financing Fund and the Baltimore City Public School Construction Facilities Fund as continuing, nonlapsing funds; specifying the contents of the funds and providing for the uses of the funds; exempting the funds from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; expanding the authority of the Authority to include acquiring property necessary to make improvements to certain facilities; requiring the Authority to perform certain actions related to Baltimore City public school facilities; limiting the amount of debt that may be issued by the Authority to finance certain public school construction projects in Baltimore City; including nontax supported debt in a certain debt limit; providing that money deposited in a certain fund may be used as security for a bond issue; altering certain provisions of law relating to closing on certain bond sales; 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 the Authority acting as its agent and enter into certain related contracts; 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

the Authority; 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; altering the distribution of certain State lottery revenues and requiring the State Comptroller to distribute certain State lottery revenues into a certain fund; repealing the requirement for certain lotteries to be conducted for the benefit of the Authority; repealing certain advertising and ticket requirements related to certain lotteries conducted for the benefit of the Authority; altering the calculation of a certain highest local appropriation for education under certain circumstances; requiring certain reports and notifications; declaring the intent of the General Assembly; defining certain terms; providing for the effective dates of this Act; and generally relating to public school construction and renovation projects in Baltimore City.”.

On page 2, in line 25, strike “10–301” and substitute “10–601, 10–620, 10–628, 10–634, and 10–639”; after line 27, insert:

“BY repealing and reenacting, without amendments,

Article – Economic Development

Section 10–629 through 10–633, 10–635, and 10–636

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)

BY adding to

Article – Economic Development

Section 10–645, 10–646, 10–656, and 10–657

Annotated Code of Maryland

(2008 Volume and 2012 Supplement)”;

in line 30, strike “4–114,”; in the same line, strike “4–119, 4–126,”; in the same line, strike “(a) and”; strike in their entirety lines 33 through 38, inclusive; and after line 38, insert:

“BY repealing and reenacting, without amendments,

Article – Education

Section 4–306.2(a)

Annotated Code of Maryland

(2008 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. and 72.

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–120

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 5–202(d)(1) through (5)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of 2012)

BY repealing and reenacting, without amendments,

Article – Education

Section 5–202(d)(6)

Annotated Code of Maryland

(2008 Replacement Volume and 2012 Supplement)

(As enacted by Chapter 6 of the Acts of the General Assembly of 2012)

BY repealing

Article – State Government
Section 9–120.1
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 2

On pages 3 through 8, strike in their entirety the lines beginning with line 1 on page 3 through line 19 on page 8, inclusive, and substitute:

“10–601.

(a) In this subtitle the following words have the meanings indicated.

(b) “Authority” means the Maryland Stadium Authority.

(c) “Authority affiliate” means a for–profit or not–for–profit entity in which the Authority directly or indirectly owns any membership interest or equity interest.

(D) “BALTIMORE CITY” MEANS, AS THE CONTEXT REQUIRES:

(1) THE GEOGRAPHIC AREA OF THE CITY OF BALTIMORE; OR

(2) THE MAYOR AND CITY COUNCIL OF BALTIMORE.

(E) “BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS” MEANS THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM ESTABLISHED UNDER § 3–108.1 OF THE EDUCATION ARTICLE.

(F) “BALTIMORE CITY PUBLIC SCHOOL FACILITY” MEANS A PROPERTY PRIMARILY USED FOR EDUCATIONAL INSTRUCTION THAT:

(1) IS HELD IN TRUST BY BALTIMORE CITY OR THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS FOR THE BENEFIT OF THE BALTIMORE CITY PUBLIC SCHOOL SYSTEM; AND

(2) IS DESIGNATED FOR IMPROVEMENT UNDER THE MEMORANDUM OF UNDERSTANDING BETWEEN THE AUTHORITY, BALTIMORE

CITY, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AND THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION ENTERED INTO IN ACCORDANCE WITH § 10-646 OF THIS SUBTITLE.

(G) “BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND” MEANS THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND ESTABLISHED UNDER § 10-657 OF THIS SUBTITLE.

(H) “BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND” MEANS THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ESTABLISHED UNDER § 10-656 OF THIS SUBTITLE.

(I) “BALTIMORE CITY PUBLIC SCHOOL SITE” MEANS THE SITE OF ANY BALTIMORE CITY PUBLIC SCHOOL FACILITY.

[(d)](J) (1) “Baltimore Convention facility” means:

(i) a convention center, trade show facility, meeting hall, or other structure in Baltimore City used to hold conventions, trade shows, meetings, displays, or similar events; and

(ii) offices, parking lots or garages, access roads, hotels, restaurants, railroad sidings, and any other structures, improvements, equipment, furnishings, or other property functionally related to the facilities described in item (i) of this paragraph.

(2) “Baltimore Convention facility” includes the following, if used, useful, or usable in the future as, or in connection with, a Baltimore Convention facility:

(i) land, structures, equipment, property, property rights, property appurtenances, rights-of-way, franchises, easements, and other interests in land;

(ii) land and facilities that are functionally related to a Baltimore Convention facility; and

(iii) patents, licenses, and other rights necessary or useful to construct or operate a Baltimore Convention facility.

[(e)] (K) “Baltimore Convention Fund” means the Baltimore Convention Financing Fund established under § 10–651 of this subtitle.

[(f)] (L) “Baltimore Convention site” means the site of the Baltimore Convention Center located in Baltimore City at the address generally known as 1 West Pratt Street, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 22, Section 01, Block 0682, Lots 001 and 001A.

[(g)] (M) “Bond” includes a note, an interim certificate, refunding bond, and any other evidence of obligation issued under this subtitle.

[(h)] (N) “Camden Yards” means the area comprising approximately 85 acres in Baltimore City bounded by Camden Street on the north, Russell Street on the west, Ostend Street on the south, and Howard Street and Interstate 395 on the east.

[(i)] (O) “Camden Yards Fund” means the Camden Yards Financing Fund established under § 10–652 of this subtitle.

[(j)] (P) “Convention facility” means the Baltimore Convention facility, the Montgomery County Conference facility, and the Ocean City Convention facility.

[(k)] (Q) “Facility” means:

- (1) a structure or other improvement developed at Camden Yards;
- (2) a convention facility;
- (3) the Hippodrome Performing Arts facility; [or]
- (4) a sports facility; OR
- (5) A BALTIMORE CITY PUBLIC SCHOOL FACILITY.**

(R) “GOVERNMENTAL UNIT” MEANS A COUNTY, A MUNICIPAL CORPORATION, A UNIT OF STATE OR LOCAL GOVERNMENT, OR ANY OTHER PUBLIC BODY CREATED UNDER STATE OR LOCAL LAW.

[(l)] (S) (1) “Hippodrome Performing Arts facility” means the performing arts center facility located at the Hippodrome Performing Arts site.

(2) “Hippodrome Performing Arts facility” includes, at the Hippodrome Performing Arts site:

(i) the Hippodrome theater and offices;

(ii) food service facilities; and

(iii) any other functionally related property, structures, improvements, furnishings, or equipment.

[(m)] (T) “Hippodrome Performing Arts Fund” means the Hippodrome Performing Arts Financing Fund established under § 10–653 of this subtitle.

[(n)] (U) “Hippodrome Performing Arts site” means the site of the France–Merrick Performing Arts Center located in Baltimore City at the address generally known as:

(1) 12 North Eutaw Street Building, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 04, Section 08, Block 0631, Lot 001; and

(2) 401 West Fayette Street, identified in the State Department of Assessments and Taxation Real Property database as tax identification number Ward 04, Section 08, Block 0631, Lot 013.

[(o)] (V) “Improve” means to add, alter, construct, equip, expand, extend, improve, install, reconstruct, rehabilitate, remodel, or repair.

[(p)] (W) “Improvement” means addition, alteration, construction, equipping, expansion, extension, improvement, installation, reconstruction, rehabilitation, remodeling, or repair.

[(g)] (X) “Montgomery County” includes the Montgomery County Revenue Authority.

[(r)] (Y) (1) “Montgomery County Conference facility” means the Conference Center facility located at the Montgomery County Conference site used for conferences, trade shows, meetings, displays, or similar events.

(2) “Montgomery County Conference facility” includes, at the Montgomery County Conference site, offices, parking lots and garages, access roads, food service facilities, and other functionally related property, structures, improvements, furnishings, or equipment.

(3) “Montgomery County Conference facility” does not include the privately owned hotel adjacent to the Montgomery County Conference Center.

[(s)] (Z) “Montgomery County Conference Fund” means the Montgomery County Conference Financing Fund established under § 10–654 of this subtitle.

[(t)] (AA) “Montgomery County Conference site” means the site of the Montgomery County Conference Center located in Rockville at the address generally known as 5701 Marinelli Road, identified in the State Department of Assessments and Taxation Real Property database as tax identification number District 04, Account Number 03392987.

[(u)] (BB) (1) “Ocean City Convention facility” means:

(i) a convention center, trade show facility, meeting hall, or other structure in Ocean City used to hold conventions, trade shows, meetings, displays, or similar events; and

(ii) offices, parking lots or garages, access roads, food service facilities, and any other structures, improvements, equipment, furnishings, or other property functionally related to the facilities described in item (i) of this paragraph.

(2) “Ocean City Convention facility” includes the following, if used, useful, or usable in the future as, or in connection with, an Ocean City Convention facility:

(i) land, structures, equipment, property, property rights, property appurtenances, rights-of-way, franchises, easements, and other interests in land;

(ii) land and facilities that are functionally related to an Ocean City Convention facility; and

(iii) patents, licenses, and other rights necessary or useful to construct or operate an Ocean City Convention facility.

[(v)] (CC) “Ocean City Convention Fund” means the Ocean City Convention Financing Fund established under § 10–655 of this subtitle.

[(w)] (DD) “Ocean City Convention site” means the site of the Ocean City Convention Center located in Ocean City at the address generally known as 4001 Coastal Highway, identified in the State Department of Assessments and Taxation Real Property database as tax identification numbers District 10, Account Number 055237; District 10, Account Number 066301; District 10, Account Number 247942; and District 10, Account Number 280346.

[(x)] (EE) (1) “Sports facility” means:

(i) a stadium primarily for professional football, major league professional baseball, or both, in the Baltimore metropolitan region, as defined in § 13–301 of this article;

(ii) practice fields or other areas where professional football or major league professional baseball teams practice or perform; and

(iii) offices for professional football and major league professional baseball teams or franchises.

(2) “Sports facility” includes parking lots, garages, and any other property adjacent and directly related to an item listed in paragraph (1) of this subsection.

[(y)] (FF) “Tax supported debt” has the meaning stated in § 8–104 of the State Finance and Procurement Article.

10-620.

(a) (1) Subject to annual appropriations and this subtitle, the Authority may acquire in its own name, by gift, purchase, or condemnation, any property or interest in property necessary or convenient to construct, IMPROVE, or operate a facility.

(2) When acquiring in its own name any property under paragraph (1) of this subsection, the Authority shall first attempt to acquire the property by negotiation and purchase.

(3) If the Authority is not able to acquire property by negotiation, the Authority may condemn private property under subsection (b) of this section.

(4) If the Authority determines that acting under paragraphs (2) and (3) of this subsection would be inappropriate, the Authority may condemn private property under subsection (c) of this section.

(b) (1) The exercise of authority under this subsection is subject to subsection (a) of this section, the prior approval of the Board of Public Works, and review by the Legislative Policy Committee.

(2) The Authority may condemn any private property for any purpose of the Authority:

(i) in accordance with Title 12 of the Real Property Article; and

(ii) only in Camden Yards and at the Hippodrome Performing Arts site.

(c) (1) The exercise of authority under this subsection is subject to subsection (a) of this section, the prior approval of the Board of Public Works, and review by the Legislative Policy Committee.

(2) The Authority may exercise quick take condemnation under Article III, § 40A of the State Constitution to acquire in Baltimore City for the State private property for any purpose of the Authority:

(i) in accordance with §§ 8–334 through 8–339 of the Transportation Article and Title 12 of the Real Property Article; and

(ii) only in Camden Yards and at the Hippodrome Performing Arts site.

(d) (1) The exercise of authority under this subsection is subject to the prior approval of the Board of Public Works.

(2) On request of the Authority, the State, a unit of the State, or a political subdivision may lease, lend, grant, or otherwise convey to the Authority, property, including property devoted to public use, as necessary or convenient for the purposes of this subtitle.

(3) The State may lease or sublease a facility, or an interest in a facility, from or to the Authority, whether or not constructed or usable.

(4) Lease payments to the Authority appropriated by the State shall be transferred to:

(i) the Baltimore Convention Fund if appropriated for a Baltimore Convention facility;

(ii) the Camden Yards Fund if appropriated for a sports facility or other facility at Camden Yards;

(iii) the Hippodrome Performing Arts Fund if appropriated for a Hippodrome Performing Arts facility;

(iv) the Montgomery County Conference Fund if appropriated for a Montgomery County Conference facility; or

(v) the Ocean City Convention Fund if appropriated for an Ocean City Convention facility.

(e) (1) This subsection does not apply to the Camden Yards site, Baltimore Convention site, Ocean City Convention site, [or] Hippodrome Performing Arts site, OR ANY BALTIMORE CITY PUBLIC SCHOOL SITE.

(2) The Authority and any [authority] AUTHORITY affiliate is subject to applicable planning, zoning, and development regulations to the same extent as a private commercial or industrial enterprise.

(f) The Authority shall:

(1) in cooperation with Baltimore City, appoint a task force that includes residents and business and institutional representatives from the area adjacent to Camden Yards to review the schematic, preliminary, and final plans for facilities at Camden Yards;

(2) submit schematic plans for development of Camden Yards and the Baltimore Convention site to Baltimore City for review and comment before acquiring any property;

(3) WITH RESPECT TO CAMDEN YARDS, THE BALTIMORE CONVENTION FACILITY, AND THE HIPPODROME PERFORMING ARTS FACILITY, submit preliminary and final plans [for Baltimore facilities] to Baltimore City for review and comment; [and]

(4) WITH RESPECT TO CAMDEN YARDS, THE BALTIMORE CONVENTION FACILITY, AND THE HIPPODROME PERFORMING ARTS FACILITY, participate in the design review processes of Baltimore City; AND

(5) WITH RESPECT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY, PERFORM THE ACTIONS REQUIRED UNDER §§ 10-645, 10-646, 10-656, AND 10-657 OF THIS SUBTITLE.

(g) This section does not affect the right of the Authority to acquire an option or institute a condemnation proceeding for later acquisition of the property once the approval required by this section is obtained.

10-628.

(a) Except as provided in subsections (b) and (c) of this section and subject to the prior approval of the Board of Public Works, the Authority may issue bonds at any time for any corporate purpose of the Authority, including the establishment of reserves and the payment of interest.

(b) (1) Unless authorized by the General Assembly, the Board of Public Works may not approve an issuance by the Authority of bonds for sports facilities at Camden Yards, whether taxable or tax exempt, that constitute tax supported debt if, after the issuance, there would be outstanding and unpaid \$235,000,000 face amount of bonds for the purpose of financing the site acquisition and preparation, relocation, demolition and removal, construction and related expenses for construction management, professional fees, and contingencies of baseball and football stadiums or a multiuse stadium.

(2) (i) Subject to subparagraph (ii) of this paragraph, the limits on the issuance of bonds of the Authority, whether taxable or tax exempt, that constitute tax supported debt for the following purposes with respect to sports facilities at Camden Yards are:

1. \$85,000,000 for site acquisition and preparation, relocation, demolition and removal, and construction and related expenses for construction management, professional fees, and contingencies for Camden Yards;

2. \$70,000,000 for site work, construction and related expenses for construction management, professional fees, and contingencies of a baseball stadium;

3. \$80,000,000 for site work, construction and related expenses for construction management, professional fees, and contingencies of a football stadium; and

4. \$195,000,000 for site acquisition and preparation, relocation, demolition and removal, and construction and related expenses for construction management, professional fees, and contingencies of a multiuse stadium.

(ii) The Authority may exceed the monetary limits on bond issuances provided for in subparagraph (i) of this paragraph if the Authority:

1. obtains the authorization of the Board of Public Works; and

2. notifies the Legislative Policy Committee with accompanying justification.

(c) (1) Unless authorized by the General Assembly, the Board of Public Works may not approve an issuance by the Authority of bonds, whether taxable or tax exempt, that constitute tax supported debt OR NONTAX SUPPORTED DEBT if, after issuance, there would be outstanding and unpaid more than the following face amounts of the bonds for the purpose of financing acquisition, construction, renovation, and related expenses for construction management, professional fees, and contingencies in connection with:

(i) the Baltimore Convention facility – \$55,000,000;

(ii) the Hippodrome Performing Arts facility – \$20,250,000;

(iii) the Montgomery County Conference facility – \$23,185,000;

[and]

(iv) the Ocean City Convention facility – \$17,340,000; AND

(v) BALTIMORE CITY PUBLIC SCHOOL FACILITIES – \$1,100,000,000.

(2) (i) The limitation under paragraph (1)(i) of this subsection applies to the aggregate principal amount of bonds outstanding as of June 30 of any year.

(ii) Refunded bonds may not be included in the determination of an outstanding aggregate amount under this paragraph.

10-629.

(a) The Authority shall pay the bonds issued in accordance with this part only from the property or receipts of the Authority.

(b) Property and receipts of the Authority include:

(1) taxes, fees, charges, or other revenues payable to the Authority;

(2) payments in accordance with letters of credit, lines of credit, insurance policies, or purchase agreements;

(3) investment earnings from funds or accounts maintained in accordance with a bond resolution or trust agreement;

(4) the proceeds of refunding bonds; and

(5) any other source authorized by law.

10–630.

(a) The Authority shall authorize the issuance of bonds by resolution.

(b) (1) The bonds may be secured by a trust agreement by and between the Authority and a corporate trustee.

(2) A corporate trustee may be any trust company or bank that has the powers of a trust company in or outside the State.

(c) The bonds shall:

(1) be issued at, above, or below par value, and for cash or other valuable consideration;

(2) mature on a date or dates not exceeding 40 years from their respective dates of issue, whether or not the bonds are serial or term bonds;

(3) bear interest at the fixed rate or the variable rate provided in the resolution or trust agreement;

(4) be payable at a time or times and be in the denominations and form, either coupon or registered, as provided in the resolution or trust agreement;

(5) be subject to the registration provisions, have the privileges as to conversion, and be subject to the provisions for the replacement of mutilated, lost, or destroyed bonds as provided in the resolution or trust agreement;

(6) be a “security” within the meaning of § 8–102 of the Commercial Law Article, whether or not each bond is one of a class or series or is divisible by its terms into a class or series of instruments;

(7) be negotiable for all purposes although payable from a limited source, notwithstanding any other law;

(8) be payable in lawful money of the United States at a designated place;

(9) be subject to the terms of purchase, payment, redemption, refunding, or refinancing as provided in the resolution or trust agreement;

(10) subject to subsection (d) of this section, be executed by the manual or facsimile signatures of the officers of the Authority designated by the Authority;

(11) be sold in the manner and on the terms determined by the Authority, including competitive or negotiated sale; and

(12) are exempt from §§ 8-206 and 8-208 of the State Finance and Procurement Article.

(d) An officer's signature or facsimile signature on a bond of the Authority remains valid at delivery even if the officer leaves office before the bond is delivered.

10-631.

A resolution of the Authority or a trust agreement between the Authority and a corporate trustee may contain provisions that shall be part of the contract between the Authority and the holders of the bonds as to:

(1) (i) the pledging, assigning, or directing the use, investment, or disposition of receipts of the Authority or proceeds or benefits of any contract; and

(ii) the conveying or otherwise securing of any property or property rights;

(2) debt service reserves, capitalized interest accounts, cost of issuance accounts, sinking funds, and the setting aside of deposits, and the regulation, investment, and disposition of the funds specified in this item;

(3) limitations on the use and investment of bond proceeds;

(4) restrictions on the investment of revenues or bond proceeds to government obligations the principal and interest of which are unconditionally guaranteed by the United States of America;

(5) limitations and conditions relating to the issuance of additional bonds, which may rank on a parity with, or be subordinate or superior to, other bonds;

(6) the refunding or refinancing of outstanding bonds;

(7) (i) the procedures by which the terms of a contract with bondholders may be amended; and

(ii) the amount of bonds the holders of which are needed to consent to an amendment under item (i) of this item and the manner of that consent;

(8) describing Authority defaults and the rights and remedies of bondholders;

(9) providing for guarantees, pledges of property, letters of credit, or other security, or insurance for the benefit of bondholders; and

(10) any other matter relating to the bonds that the Authority determines appropriate.

10-632.

Neither a member of the Authority nor any other person executing the bonds is subject to any personal liability because of the issuance of the bonds.

10-633.

The Authority may enter into agreements for the purpose of enhancing the marketability of, or to provide security for, its bonds.

10-634.

(a) A pledge by the Authority of revenues OR MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND as security for an issue of bonds is valid and binding from when the pledge is made.

(b) (1) The revenues OR MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND THAT ARE pledged are immediately subject to the lien of the pledge without any physical delivery or further act.

(2) The lien of any pledge is valid and binding against any person having a claim against the Authority in tort, contract, or otherwise, regardless of whether the person has notice of the lien.

(c) Notwithstanding any other provision of law, in order to perfect a lien on pledged revenues OR MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND against a third person, it is not necessary to file or record any document adopted or entered into by the Authority in any public record other than in the records of the Authority.

10-635.

Except to the extent restricted by an applicable resolution or trust agreement, a bondholder or a trustee acting under a trust agreement entered into under this subtitle, may, by any suitable form of legal proceedings, protect and enforce any rights granted under the laws of the State or by any applicable resolution or trust agreement.

10-636.

(a) Subject to the prior approval of the Board of Public Works, the Authority may issue bonds to refund any of its outstanding bonds, including the payment of:

(1) any redemption premium; and

(2) any interest accrued or that will accrue to the earliest or any subsequent date of redemption, purchase, or maturity of the bonds.

(b) (1) For the public purpose of achieving a savings in the effective costs of debt service or alleviating impending or actual default, the Authority may issue refunding bonds directly or through a debt restructuring.

(2) The bonds authorized by this subsection may be issued in one or more series and in an amount in excess of that of the bonds to be refunded.

10-639.

[The] THIS PART GOVERNS THE closing on the sale of bonds [that constitute tax supported debt.] and other borrowing of money BY THE AUTHORITY in amounts exceeding \$35,000 a year[.] to finance any segment of a facility [by the Authority is governed by this part].

10-645.

(A) (1) EXCEPT AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10-646 OF THIS SUBTITLE, THE AUTHORITY SHALL COMPLY WITH THIS SECTION AND § 5-301 OF THE EDUCATION ARTICLE TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(2) THE AUTHORITY AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10-646 OF THIS SUBTITLE AND SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, SHALL BE RESPONSIBLE FOR SCHOOL FACILITIES CONSTRUCTION AND IMPROVEMENTS FINANCED WITH THE PROCEEDS OF BONDS ISSUED UNDER THIS SUBTITLE IN ACCORDANCE WITH THE BALTIMORE CITY PUBLIC SCHOOLS' 10-YEAR PLAN APPROVED BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS ON JANUARY 8, 2013, WHICH MAY BE AMENDED FROM TIME TO TIME IN ACCORDANCE WITH PARAMETERS ESTABLISHED FOR REVIEW AND COMMENT IN THE MEMORANDUM OF UNDERSTANDING ESTABLISHED UNDER § 10-646 OF THIS SUBTITLE.

(3) (I) EXCEPT AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10-646 OF THIS SUBTITLE AND SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A POWER GRANTED TO THE AUTHORITY UNDER THIS SUBTITLE MAY NOT IN ANY WAY INTERFERE WITH THE ENUMERATED POWERS OF THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS UNDER TITLE 4, SUBTITLE 3 OF THE EDUCATION ARTICLE.

(II) THE POWERS OF THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS MAY NOT LIMIT THE ABILITY OF THE AUTHORITY TO CARRY OUT ITS OBLIGATIONS UNDER THIS SUBTITLE WITH RESPECT TO THE IMPROVEMENT OF BALTIMORE CITY PUBLIC SCHOOL FACILITIES AND THE FINANCING RELATED TO THE IMPROVEMENTS.

(B) (1) THE AUTHORITY MAY NOT USE ANY OF ITS OWN MONEY, WHETHER APPROPRIATED OR NONBUDGETED, TO PAY FOR ANY COSTS OR EXPENSES RELATED TO FINANCING IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(2) THE SOLE SOURCE OF PAYMENT FOR ANY COSTS OR EXPENSES RELATED TO FINANCING IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES SHALL BE THE MONEY ON DEPOSIT IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND BOND PROCEEDS HELD UNDER A TRUST AGREEMENT.

(C) AT LEAST 45 DAYS BEFORE SEEKING APPROVAL OF THE BOARD OF PUBLIC WORKS FOR EACH BALTIMORE CITY PUBLIC SCHOOL FACILITIES BOND ISSUE, THE AUTHORITY SHALL PROVIDE TO THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY WRITTEN NOTICE OF:

(1) THE AGGREGATE AMOUNT OF FUNDS NEEDED FOR THE RELEVANT BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING A LIST OF THE FACILITIES TO BE IMPROVED;

(2) THE ANTICIPATED TOTAL DEBT SERVICE FOR THE PROPOSED BOND ISSUE; AND

(3) THE ANTICIPATED TOTAL DEBT SERVICE WHEN COMBINED WITH THE DEBT SERVICE FOR ALL PRIOR OUTSTANDING BOND ISSUES FOR BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(D) (1) A BOND ISSUED TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY:

(I) IS A LIMITED OBLIGATION OF THE AUTHORITY PAYABLE SOLELY FROM MONEY PLEDGED BY THE AUTHORITY TO THE PAYMENT OF THE PRINCIPAL OF AND THE PREMIUM AND INTEREST ON THE BOND OR MONEY MADE AVAILABLE TO THE AUTHORITY FOR THAT PURPOSE;

(II) IS NOT A DEBT, LIABILITY, OR A PLEDGE OF THE FAITH AND CREDIT OR THE TAXING POWER OF THE STATE, THE AUTHORITY, OR OTHER GOVERNMENTAL UNIT; AND

(III) MAY NOT GIVE RISE TO ANY PECUNIARY LIABILITY OF THE STATE, THE AUTHORITY, OR OTHER GOVERNMENTAL UNIT.

(2) THE ISSUANCE OF A BOND TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY IS NOT DIRECTLY, INDIRECTLY, OR CONTINGENTLY A MORAL OR OTHER OBLIGATION OF THE STATE, THE AUTHORITY, OR OTHER GOVERNMENTAL UNIT TO LEVY OR PLEDGE ANY TAX OR TO MAKE AN APPROPRIATION TO PAY THE BOND.

(3) EACH BOND SHALL STATE ON ITS FACE THE PROVISIONS OF PARAGRAPHS (1) AND (2) OF THIS SUBSECTION.

(E) BEFORE EACH ISSUANCE OF BONDS TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY, THE AUTHORITY SHALL OBTAIN THE APPROVAL OF THE BOARD OF PUBLIC WORKS OF THE PROPOSED BOND ISSUE.

(F) THE TOTAL DEBT SERVICE FOR ANY BOND ISSUE, WHEN ADDED TO ALL PRIOR OUTSTANDING BOND ISSUES RELATED TO IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES, MAY NOT EXCEED THE TOTAL AMOUNT OF THE FUNDS PROVIDED UNDER § 9-120(B)(1)(III) OF THE STATE GOVERNMENT ARTICLE AND THE FUNDS PROVIDED UNDER SUBSECTIONS (G) AND (H) OF THIS SECTION.

(G) (1) BEGINNING ON JULY 1, 2013 AND CONTINUING UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE IMPROVEMENTS TO BALTIMORE

CITY PUBLIC SCHOOL FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, BALTIMORE CITY SHALL DEPOSIT INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND:

(I) SUBJECT TO ANNUAL APPROPRIATION, ALL REVENUES AND RECEIPTS FROM THE BEVERAGE CONTAINER TAX IMPOSED BY BALTIMORE CITY ORDINANCE NO. 12-45, ENACTED JUNE 26, 2012;

(II) THE AMOUNTS PAID BY THE STATE COMPTROLLER TO BALTIMORE CITY FROM THE PROCEEDS OF TABLE GAMES AT THE VIDEO LOTTERY FACILITY LOCATED IN BALTIMORE CITY THAT ARE DEDICATED TO SCHOOL CONSTRUCTION IN ACCORDANCE WITH § 9-1A-27(D)(2)(I)1 OF THE STATE GOVERNMENT ARTICLE;

(III) SUBJECT TO ANNUAL APPROPRIATION, 10% OF THE PARTICIPATION RENT PAID TO BALTIMORE CITY BY THE OPERATOR OF THE VIDEO LOTTERY FACILITY LOCATED IN BALTIMORE CITY; AND

(IV) ANY OTHER REVENUES DEDICATED TO OR APPROPRIATED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND BY BALTIMORE CITY.

(2) THE MONEY DEPOSITED INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN ACCORDANCE WITH THIS SUBSECTION SHALL BE AT LEAST:

(I) \$4,000,000 BY NOVEMBER 1, 2014;

(II) AN ADDITIONAL \$4,000,000 BY MAY 1, 2015;

(III) AN ADDITIONAL \$4,000,000 BY NOVEMBER 1, 2015;

(IV) AN ADDITIONAL \$4,000,000 BY MAY 1, 2016; AND

(V) UNTIL THE BONDS ARE NO LONGER OUTSTANDING AND UNPAID:

1. AN ADDITIONAL \$5,000,000 BY EACH NOVEMBER
1; AND

2. AN ADDITIONAL \$5,000,000 BY EACH MAY 1.

(3) IF THE FUNDS DEPOSITED INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ARE LESS THAN THE AMOUNTS REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION:

(I) THE AUTHORITY SHALL TRANSFER MONEY HELD IN RESERVE FOR BALTIMORE CITY IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN AN AMOUNT EQUAL TO THE LESSER OF:

1. THE DIFFERENCE BETWEEN THE AMOUNT REQUIRED TO BE PAID UNDER PARAGRAPH (2) OF THIS SUBSECTION AND THE ACTUAL AMOUNT PAID BY BALTIMORE CITY; OR

2. THE AMOUNT HELD IN RESERVE FOR BALTIMORE CITY IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND; AND

(II) IF THE AMOUNT TRANSFERRED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS LESS THAN THE DIFFERENCE BETWEEN THE AMOUNT REQUIRED TO BE PAID UNDER PARAGRAPH (2) OF THIS SUBSECTION AND THE ACTUAL AMOUNT PAID BY BALTIMORE CITY:

1. THE AUTHORITY SHALL DIRECT THE STATE COMPTROLLER TO WITHHOLD, UNDER § 2-608 OF THE TAX – GENERAL ARTICLE, INCOME TAX REVENUE FROM BALTIMORE CITY IN AN AMOUNT EQUAL TO THE DIFFERENCE BETWEEN THE AMOUNT TRANSFERRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AND THE AMOUNT REQUIRED TO BE PAID UNDER PARAGRAPH (2) OF THIS SUBSECTION; AND

2. THE STATE COMPTROLLER SHALL CREDIT THE WITHHELD AMOUNT TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ON BEHALF OF BALTIMORE CITY ON OR BEFORE THE 15TH DAY OF THE FOLLOWING DECEMBER OR JUNE, AS APPLICABLE.

(4) ANY MONEY DEPOSITED BY BALTIMORE CITY OR ON BEHALF OF BALTIMORE CITY IN ACCORDANCE WITH THIS SECTION IN EXCESS OF THE AMOUNT REQUIRED IN ANY SEMIANNUAL PERIOD SHALL BE TRANSFERRED BY THE AUTHORITY TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND HELD IN RESERVE IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION AND § 10-657 OF THIS SUBTITLE.

(H) (1) BEGINNING ON JULY 1, 2013, AND CONTINUING UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, THE STATE COMPTROLLER SHALL WITHHOLD FROM ANY INSTALLMENT DUE THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS FROM THE GENERAL STATE SCHOOL FUND MONEY REPRESENTING ADDITIONAL STATE FUNDS RECEIVED FROM RECURRING RETIREE HEALTH COSTS SHIFTED FROM BALTIMORE CITY TO THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS AND DEPOSIT INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND \$10,000,000 FOR FISCAL YEAR 2014 AND EACH FISCAL YEAR THEREAFTER, TO BE PAID IN EQUAL BI-MONTHLY PAYMENTS.

(2) BEGINNING ON JULY 1, 2015, AND CONTINUING UNTIL THE BONDS THAT HAVE BEEN ISSUED TO FINANCE IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES ARE NO LONGER OUTSTANDING AND UNPAID, IN ADDITION TO THE AMOUNT WITHHELD UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE STATE COMPTROLLER SHALL WITHHOLD FROM ANY INSTALLMENT DUE THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS FROM THE GENERAL STATE SCHOOL FUND AND DEPOSIT INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND THE FOLLOWING AMOUNTS, TO BE PAID IN EQUAL BI-MONTHLY PAYMENTS:

(I) \$10,000,000 FOR FISCAL YEAR 2016; AND

(II) \$20,000,000 FOR FISCAL YEAR 2017 AND EACH FISCAL YEAR THEREAFTER.

(I) (1) IF THE MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN ACCORDANCE WITH SUBSECTIONS (G) AND (H) OF THIS SECTION IS NOT NEEDED FOR DEBT SERVICE OR DEBT SERVICE RESERVES, THE AUTHORITY MAY TRANSFER THOSE FUNDS TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(2) IF FUNDS ARE NEEDED FOR DEBT SERVICE OR DEBT SERVICE RESERVES, THE AUTHORITY MAY TRANSFER MONEY IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(J) IN CONNECTION WITH IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS SHALL:

(1) DELIVER TO THE AUTHORITY BUILDABLE SITES, READY FOR IMPROVEMENT AND FREE FROM ANY RESTRICTIONS, EASEMENTS, IMPEDIMENTS, HAZARDS OR CONDITIONS THAT WOULD AFFECT THE AUTHORITY'S SCHEDULE OR BUDGET FOR THE IMPROVEMENT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY;

(2) ASSUME RESPONSIBILITY FOR THE OPERATION, MAINTENANCE, AND REPAIRS OF EACH BALTIMORE CITY PUBLIC SCHOOL FACILITY IMMEDIATELY BEFORE THE OCCUPANCY OF THE BALTIMORE CITY PUBLIC SCHOOL FACILITY OR AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10-646 OF THIS SUBTITLE; AND

(3) EXCEPT FOR A TRANSFER OR ASSIGNMENT TO THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, OBTAIN THE APPROVAL OF THE STATE SUPERINTENDENT OF SCHOOLS AND THE BOARD OF PUBLIC WORKS BEFORE THE SALE, ASSIGNMENT, MORTGAGE, PLEDGE, OR

ENCUMBRANCE OF ANY BALTIMORE CITY PUBLIC SCHOOL FACILITY, OR ANY INTEREST IN THE FACILITY.

(K) (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, BEFORE ANY BONDS ARE ISSUED TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY, THE AUTHORITY MAY PAY FOR ANY COSTS OF START-UP, ADMINISTRATION, OVERHEAD, AND OPERATIONS OF THE AUTHORITY OR COSTS OF ENGINEERING, ARCHITECTURAL, AND OTHER DESIGN PROFESSIONALS.

(2) (I) ANY COST OVERRUNS, UNBUDGETED EXPENSES, OR UNFORESEEN COSTS INCURRED IN CONNECTION WITH AN IMPROVEMENT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY SHALL BE PAYABLE SOLELY FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(II) IF ANY COST OVERRUNS, UNBUDGETED EXPENSES, OR UNFORESEEN COSTS OCCUR AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE AUTHORITY SHALL PROVIDE A DETAILED REPORT EXPLAINING THE REASONS FOR THE COST OVERRUNS, UNBUDGETED EXPENSES, OR UNFORESEEN COSTS AND A DESCRIPTION OF THE ACTIONS TAKEN BY THE AUTHORITY TO CONTROL COSTS WITHIN THE BUDGET ESTABLISHED FOR EACH IMPROVEMENT TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(L) ON OCTOBER 1, 2013, AND EACH OCTOBER 1 THEREAFTER, THE AUTHORITY, BALTIMORE CITY, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AND THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION JOINTLY SHALL REPORT TO THE GOVERNOR, THE BOARD OF PUBLIC WORKS AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE FISCAL COMMITTEES OF THE GENERAL ASSEMBLY, ON THE PROGRESS OF REPLACEMENTS, RENOVATIONS, AND MAINTENANCE OF BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING ACTIONS:

(1) TAKEN DURING THE PREVIOUS FISCAL YEAR; AND

(2) PLANNED FOR THE CURRENT FISCAL YEAR.

10-646.

(A) BEFORE ANY BONDS ARE ISSUED TO FINANCE IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY:

(1) A FOUR-PARTY MEMORANDUM OF UNDERSTANDING THAT MEETS THE REQUIREMENTS OF THIS SECTION SHALL BE ENTERED INTO AND SIGNED BY THE AUTHORITY, BALTIMORE CITY, THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, AND THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION; AND

(2) THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS SHALL SUBMIT A LONG-TERM EDUCATIONAL FACILITIES MASTER PLAN TO THE JOINT AUDIT COMMITTEE AND THE BUDGET COMMITTEES, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE.

(B) IN THE CASE OF A DISPUTE BETWEEN THE PARTIES RELATING TO THE PROVISIONS TO BE INCLUDED IN THE MEMORANDUM OF UNDERSTANDING, THE STATE SUPERINTENDENT OF SCHOOLS SHALL FACILITATE RESOLUTION OF THE ITEMS IN DISPUTE.

(C) THE MEMORANDUM OF UNDERSTANDING SHALL BE AGREED TO BY THE PARTIES ON OR BEFORE OCTOBER 1, 2013, AND MAY NOT GO INTO EFFECT UNTIL IT IS APPROVED BY THE BOARD OF PUBLIC WORKS.

(D) (1) THE MEMORANDUM OF UNDERSTANDING SHALL AUTHORIZE THE AUTHORITY TO DESIGN AND IMPROVE, OR CONTRACT FOR THE DESIGN AND IMPROVEMENT OF, A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(2) THE AUTHORITY GRANTED TO THE AUTHORITY UNDER PARAGRAPH (1) OF THIS SUBSECTION IS SUBJECT TO THE RIGHTS AND RESPONSIBILITIES OF THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION FOR THE DESIGN AND CONSTRUCTION OF A BALTIMORE CITY PUBLIC SCHOOL FACILITY.

(E) THE MEMORANDUM OF UNDERSTANDING SHALL REQUIRE:

(1) SPECIFIC PARAMETERS REGARDING THE ROLES, RIGHTS, AND RESPONSIBILITIES OF EACH PARTY WITH RESPECT TO THE PROCESS FOR AND MANAGEMENT OF PROGRAM DEVELOPMENT, SCHEDULING, BUDGETING, PROCUREMENT, DESIGN, CONSTRUCTION ADMINISTRATION, CAPITAL EQUIPPING, AND MAINTENANCE OF IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY;

(2) SPECIFIC PARAMETERS REGARDING THE AUTHORITY OF THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS OVER EDUCATIONAL PROGRAMS AND ISSUES RELATING TO BALTIMORE CITY PUBLIC SCHOOLS' 10-YEAR PLAN, INCLUDING EDUCATIONAL SPECIFICATIONS, FEASIBILITY STUDIES, AND DESIGN ELEMENTS OF EDUCATIONAL BUILDINGS, WHICH SHALL PROVIDE THAT AT THE COMPLETION OF SCHEMATIC DESIGN, ALL PARTIES SHALL AGREE TO PROJECT SCOPE, SCHEDULE, AND BUDGET;

(3) SPECIFIC PARAMETERS FOR A REVIEW AND COMMENT PERIOD FOR ANY PROPOSED AMENDMENTS TO BALTIMORE CITY PUBLIC SCHOOLS' 10-YEAR PLAN, AS REFERENCED IN § 10-645(A) OF THIS SUBTITLE;

(4) SPECIFIC PROCEDURES RELATED TO THE ROLE OF THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION RELATED TO IMPROVEMENTS TO A BALTIMORE CITY PUBLIC SCHOOL FACILITY FINANCED UNDER THIS SUBTITLE, WHICH SHALL PROVIDE FOR EFFICIENCIES IN COST, SCHEDULES, AND PROCESSES;

(5) A PROCESS FOR DETERMINING WHICH PLANNED PROJECTS FOR IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES WILL PROCEED AS PLANNED OR WILL BE POSTPONED OR CANCELED;

(6) A PLEDGE BY BALTIMORE CITY, SUBJECT TO ANNUAL APPROPRIATION, TO DEPOSIT THE FOLLOWING INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND:

(I) ALL REVENUES AND RECEIPTS FROM THE BEVERAGE CONTAINER TAX IMPOSED BY BALTIMORE CITY ORDINANCE NO. 12-45, ENACTED JUNE 26, 2012; AND

(II) 10% OF THE PARTICIPATION RENT PAID TO BALTIMORE CITY BY THE OPERATOR OF THE VIDEO LOTTERY FACILITY LOCATED IN BALTIMORE CITY;

(7) A PARTNERSHIP BETWEEN THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, THE BALTIMORE CITY DEPARTMENT OF PLANNING, HOUSING, RECREATION, AND PARKS, AND THE MAYOR OF BALTIMORE CITY TO COORDINATE NEW INVESTMENT IN BALTIMORE CITY PUBLIC SCHOOL FACILITIES WITH THE COMMUNITY DEVELOPMENT GOALS OF BALTIMORE CITY;

(8) A PLAN FOR ANY NEW OR SUBSTANTIALLY RENOVATED BALTIMORE CITY PUBLIC SCHOOL FACILITIES TO BE AVAILABLE FOR RECREATIONAL OPPORTUNITIES FOR THE COMMUNITY;

(9) A PLAN TO PRESENT ALL ARCHITECTURAL PLANS FOR ALL MAJOR RENOVATION AND NEW PUBLIC SCHOOL CONSTRUCTION BUILDINGS AND SITES TO THE BALTIMORE CITY PLANNING DEPARTMENT'S URBAN DESIGN AND ARCHITECTURAL REVIEW PANEL FOR SCHEMATIC AND FINAL DESIGN REVIEW;

(10) A PROCESS DEVELOPED AND AGREED TO BY BALTIMORE CITY AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS TO EXPEDITE THE CLOSURE OF PUBLIC SCHOOL BUILDINGS AS PROVIDED IN THE BALTIMORE CITY PUBLIC SCHOOL'S 10-YEAR PLAN APPROVED ON JANUARY 8, 2013, AND TO ARRANGE FOR THE PRODUCTIVE USE OF THE CLOSED BUILDINGS THROUGH THE SURPLUS PROCESS;

(11) A PLAN DEVELOPED BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS AND APPROVED BY THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION FOR PREVENTATIVE AND ONGOING MAINTENANCE FOR EXISTING, NEW, AND RENOVATED BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING FUNDING SUFFICIENT TO IMPLEMENT THE PLAN;

(12) A PLAN DEVELOPED BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS AND APPROVED BY THE INTERAGENCY COMMITTEE

ON SCHOOL CONSTRUCTION PROVIDING FOR MINIMUM SCHOOL UTILIZATION STANDARDS;

(13) THE CREATION OF A “STAT” PROGRAM FOR THE BALTIMORE CITY PUBLIC SCHOOLS’ 10–YEAR PLAN;

(14) SPECIFIC PARAMETERS FOR BALTIMORE CITY PUBLIC SCHOOL FACILITIES FINANCED UNDER THIS SUBTITLE REGARDING:

(I) PROPERTY MANAGEMENT, MAINTENANCE PLANS AND STANDARDS, ANNUAL INSPECTIONS, AND PROPERTY INSURANCE; AND

(II) ANY CLAIMS, LOSSES, OR DAMAGES ARISING FROM THE AUTHORITY’S IMPROVEMENT OF ANY BALTIMORE CITY PUBLIC SCHOOL FACILITY;

(15) A PROCESS TO RESOLVE DISPUTES AND REVISE THE MEMORANDUM OF UNDERSTANDING, IF NECESSARY; AND

(16) AN ALLOCATION OF THE PUBLIC SCHOOL IMPROVEMENTS TO BE UNDERTAKEN BY THE AUTHORITY AND THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS, RESPECTIVELY.

10–656.

(A) THERE IS A BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(B) (1) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IS A CONTINUING, NONLAPSING FUND THAT SHALL BE AVAILABLE IN PERPETUITY TO IMPLEMENT THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(2) THE AUTHORITY SHALL:

(I) USE THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AS A REVOLVING FUND FOR CARRYING OUT THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES; AND

(II) PAY ANY AND ALL EXPENSES FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND THAT ARE INCURRED BY THE AUTHORITY RELATED TO ANY BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(C) (1) TO THE EXTENT CONSIDERED APPROPRIATE BY THE AUTHORITY, THE MONEY ON DEPOSIT IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND SHALL BE PLEDGED TO AND USED TO PAY THE FOLLOWING RELATING TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES:

(I) DEBT SERVICE ON AUTHORITY BONDS;

(II) DEBT SERVICE RESERVES UNDER A TRUST AGREEMENT;

(III) ALL REASONABLE CHARGES AND EXPENSES RELATED TO AUTHORITY BORROWING; AND

(IV) ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE AUTHORITY'S ADMINISTRATION OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND AND MANAGEMENT OF THE AUTHORITY'S OBLIGATIONS.

(2) THE PLEDGE SHALL BE EFFECTIVE AS PROVIDED IN § 10-634 OF THIS SUBTITLE AND ANY APPLICABLE AUTHORITY RESOLUTION.

(D) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND CONSISTS OF:

(1) MONEY DEPOSITED IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND;

(2) TO THE EXTENT THAT THE PROCEEDS ARE NOT UNDER A TRUST AGREEMENT, PROCEEDS FROM THE SALE OF BONDS CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES;

(3) REVENUES COLLECTED OR RECEIVED FROM ANY SOURCE UNDER THIS SUBTITLE RELATED TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES, INCLUDING REVENUES COLLECTED OR RECEIVED IN ACCORDANCE WITH § 9-120 OF THE STATE GOVERNMENT ARTICLE;

(4) FUNDS TO BE DEPOSITED IN ACCORDANCE WITH § 10-645 OF THIS SUBTITLE; AND

(5) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC SOURCE FOR THE PURPOSES ESTABLISHED FOR THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(E) (1) THE TREASURER SHALL INVEST THE MONEY OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND IN THE SAME MANNER AS OTHER STATE FUNDS.

(2) ANY INVESTMENT EARNINGS SHALL BE CREDITED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

(3) NO PART OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OR ANY SPECIAL FUND OF THE STATE.

10-657.

(A) THERE IS A BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(B) (1) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IS A CONTINUING, NONLAPSING FUND THAT SHALL BE

AVAILABLE IN PERPETUITY TO IMPLEMENT THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(2) THE AUTHORITY SHALL:

(I) USE THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AS A REVOLVING FUND FOR CARRYING OUT THIS SUBTITLE CONCERNING BALTIMORE CITY PUBLIC SCHOOL FACILITIES; AND

(II) TO THE EXTENT AUTHORIZED BY FEDERAL TAX LAW, PAY ANY AND ALL EXPENSES FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND THAT ARE INCURRED BY THE AUTHORITY RELATED TO ANY BALTIMORE CITY PUBLIC SCHOOL FACILITIES.

(C) TO THE EXTENT CONSIDERED APPROPRIATE BY THE AUTHORITY OR AS AGREED TO IN THE MEMORANDUM OF UNDERSTANDING UNDER § 10-646 OF THIS SUBTITLE, THE MONEY ON DEPOSIT IN THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND SHALL BE USED TO PAY THE FOLLOWING RELATING TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES:

(1) DEBT SERVICE ON AUTHORITY BONDS;

(2) DESIGN AND CONSTRUCTION COSTS RELATING TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES;

(3) TO THE EXTENT AUTHORIZED BY FEDERAL TAX LAW, COSTS OF START-UP, ADMINISTRATION, OVERHEAD, AND OPERATIONS RELATED TO THE MANAGEMENT OF IMPROVEMENTS TO BALTIMORE CITY PUBLIC SCHOOL FACILITIES AUTHORIZED UNDER THIS SUBTITLE AND UNDERTAKEN BY THE BALTIMORE CITY BOARD OF SCHOOL COMMISSIONERS; AND

(4) ALL REASONABLE CHARGES AND EXPENSES RELATED TO THE AUTHORITY'S ADMINISTRATION OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND AND THE BALTIMORE CITY PUBLIC SCHOOL

CONSTRUCTION FINANCING FUND AND MANAGEMENT OF THE AUTHORITY'S OBLIGATIONS.

(D) THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND CONSISTS OF:

(1) FUNDS TRANSFERRED FROM THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IN ACCORDANCE WITH § 10-645(I) OF THIS SUBTITLE; AND

(2) ANY ADDITIONAL MONEY MADE AVAILABLE FROM ANY PUBLIC SOURCE FOR THE PURPOSES ESTABLISHED FOR THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(E) (1) THE TREASURER SHALL INVEST THE MONEY OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND IN THE SAME MANNER AS OTHER STATE FUNDS.

(2) ANY INVESTMENT EARNINGS SHALL BE CREDITED TO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND.

(3) NO PART OF THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND MAY REVERT OR BE CREDITED TO THE GENERAL FUND OR ANY SPECIAL FUND OF THE STATE.”.

AMENDMENT NO. 3

On page 8, after line 19, insert:

“Article – Education”.

On pages 10 through 13, strike in their entirety the lines beginning with line 9 on page 10 through line 15 on page 13, inclusive.

On page 13, in line 18, strike “ANOTHER ENTITY” and substitute “THE MARYLAND STADIUM AUTHORITY”.

On page 14, strike beginning with “BALTIMORE” in line 22 down through “BONDS” in line 23 and substitute “MARYLAND STADIUM AUTHORITY”; and in line 24, strike “ACQUISITION” and substitute “RENOVATION”.

AMENDMENT NO. 4

On pages 14 through 34, strike in their entirety the lines beginning with line 25 on page 14 through line 9 on page 34, inclusive.

On page 34, before line 10, insert:

“5-301.”

AMENDMENT NO. 5

On page 34, after line 28, insert:

“Article – State Finance and Procurement

6-226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

69. the Maryland Legal Services Corporation Fund; [and]

70. Mortgage Loan Servicing Practices Settlement Fund;

71. THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FACILITIES FUND; AND

72. THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND.

Article – State Government9–120.

(a) The Comptroller shall distribute, OR CAUSE TO BE DISTRIBUTED, the State Lottery Fund to pay:

(1) on a pro rata basis for the daily and nondaily State lottery games, the expenses of administering and operating the State lottery, as authorized under this subtitle and the State budget; and

(2) then, except as provided in § 10–113.1 of the Family Law Article and § 11–618 of the Criminal Procedure Article, the holder of each winning ticket or share.

(b) (1) [Promptly after the 1st day of each month] BY THE END OF THE MONTH FOLLOWING COLLECTION, the Comptroller shall [pay] DEPOSIT OR CAUSE TO BE DEPOSITED:

(i) into the Maryland Stadium Facilities Fund ESTABLISHED UNDER § 7–312 OF THE STATE FINANCE AND PROCUREMENT ARTICLE FROM the money that remains in the State Lottery Fund [from the proceeds of the lotteries conducted for the benefit of the Maryland Stadium Authority], after the distribution under subsection (a) of this section, AN AMOUNT NOT TO EXCEED \$20,000,000 IN ANY FISCAL YEAR;

(ii) after June 30, 2014, into the Maryland Veterans Trust Fund 10% of the money that remains in the State Lottery Fund from the proceeds of sales of tickets from instant ticket lottery machines by veterans' organizations under § 9–112(d) of this subtitle, after the distribution under subsection (a) of this section; [and]

(iii) AFTER JUNE 30, 2014, INTO THE BALTIMORE CITY PUBLIC SCHOOL CONSTRUCTION FINANCING FUND ESTABLISHED UNDER § 10–656 OF THE ECONOMIC DEVELOPMENT ARTICLE THE MONEY THAT REMAINS IN THE STATE LOTTERY FUND FROM THE PROCEEDS OF ALL LOTTERIES AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS

SECTION AND SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO \$20,000,000 IN EACH FISCAL YEAR THAT BONDS ARE OUTSTANDING AND UNPAID, TO BE PAID IN TWO INSTALLMENTS WITH AT LEAST \$10,000,000 PAID NO LATER THAN DECEMBER 1 OF EACH FISCAL YEAR; AND

[(iii)] (IV) into the General Fund of the State the money that remains in the State Lottery Fund from the proceeds of all [other] lotteries after the [distribution] DISTRIBUTIONS under subsection (a) of this section AND SUBPARAGRAPHS (I), (II), AND (III) OF THIS PARAGRAPH.

(2) The money paid into the General Fund under this subsection is available in the fiscal year in which the money accumulates in the State Lottery Fund.

(c) The regulations of the Agency shall apportion the money in the State Lottery Fund IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

5–202.

(d) (1) (i) Subject to § 5–213.1 of this subtitle, the county governing body shall levy and appropriate an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes equal to the local share of the foundation program.

(ii) 1. Except as provided in subsubparagraph 2 of this subparagraph and subject to § 5–213 of this subtitle, the county governing body shall appropriate local funds to the school operating budget in an amount no less than the product of the county’s full–time equivalent enrollment for the current fiscal year and the local appropriation on a per pupil basis for the prior fiscal year.

2. [In] EXCEPT AS PROVIDED IN PARAGRAPH (3)(II) OF THIS SUBSECTION, IN each fiscal year if a county’s education effort, as defined in paragraph (10) of this subsection, is below 100% of the statewide 5–year moving

average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:

- A. A county's increase in the local wealth per pupil;
- B. The statewide average increase in local wealth per pupil; or
- C. 2.5%.

(2) Except as provided in paragraph (3)(I) of this subsection, for purposes of this subsection, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by dividing the county's highest local appropriation to its school operating budget for the prior fiscal year by the county's full-time equivalent enrollment for the prior fiscal year. For example, the calculation of the foundation aid for fiscal year 2003 shall be based on the highest local appropriation for the school operating budget for a county for fiscal year 2002. Program shifts between a county operating budget and a county school operating budget may not be used to artificially satisfy the requirements of this paragraph.

(3) (I) For purposes of this subsection, for fiscal year 1997 and each subsequent fiscal year, the calculation of the county's highest local appropriation to its school operating budget for the prior fiscal year shall exclude:

[(i)] 1. A nonrecurring cost that is supplemental to the regular school operating budget, if the exclusion qualifies under regulations adopted by the State Board;

[(ii)] 2. A cost of a program that has been shifted from the county school operating budget to the county operating budget; [and]

[(iii)] 3. The cost of debt service incurred for school construction projects; AND

4. FOR A COUNTY THAT SHIFTS THE RECURRING COSTS ASSOCIATED WITH PROVIDING RETIREE HEALTH BENEFITS FOR CURRENT RETIREES TO THE COUNTY BOARD, ANY REDUCTION IN THOSE

RETIREE HEALTH COSTS FROM THE AMOUNT THE COUNTY WAS REQUIRED TO APPROPRIATE IN THE PREVIOUS YEAR.

(II) FOR PURPOSES OF THE ADJUSTMENT REQUIRED UNDER PARAGRAPH (1)(II)2 OF THIS SUBSECTION, A COUNTY THAT DEDICATES TO PUBLIC SCHOOL CONSTRUCTION ANY ADDITIONAL STATE FUNDS RECEIVED FROM RECURRING RETIREE HEALTH COSTS SHIFTED TO THE COUNTY BOARD MAY EXCLUDE THOSE RETIREE HEALTH COSTS FROM THE HIGHEST LOCAL APPROPRIATION ON A PER PUPIL BASIS.

(4) The county board must present satisfactory evidence to the county government that any appropriation under paragraph [(3)(i)] ~~(3)(I)1~~ of this subsection is used only for the purpose designated by the county government in its request for approval.

(5) Any appropriation that is not excluded under paragraph [(3)(i)] ~~(3)(I)1~~ of this subsection as a qualifying nonrecurring cost shall be included in calculating the county's highest local appropriation to its school operating budget.

(6) Qualifying nonrecurring costs, as defined in regulations adopted by the State Board, shall include but are not limited to:

- (i) Computer laboratories;
- (ii) Technology enhancement;
- (iii) New instructional program start-up costs; and
- (iv) Books other than classroom textbooks.”

AMENDMENT NO. 6

On page 34, before line 29, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 9–120.1 of the Article – State Government of the Annotated Code of Maryland be repealed.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, as a part of the normal Public School Construction Program

(PSCP) allocation, the Interagency Committee on School Construction consider the projects funded under this Act along with the ongoing capital needs in making annual PSCP allocations for the Baltimore City Public School System.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect July 1, 2014, the effective date of Chapter 6, § 3 of the Acts of the General Assembly of 2012. If the effective date of Chapter 6, § 3 is amended, Section 2 of this Act shall take effect on the taking effect of Chapter 6, § 3.”;

in line 29, strike “2.” and substitute “6.”; and in the same line, after “That” insert “, except as provided in Section 5 of this Act.”.

The preceding 6 amendments were read and adopted.

Favorable report, as amended, adopted.

FLOOR AMENDMENT

SB0743/743827/1

BY: Senator Pugh

AMENDMENT TO SENATE BILL 743

(First Reading File Bill)

On page 1, in the sponsor line, strike “and Ferguson” and substitute “, Ferguson, Conway, McFadden, Gladden, and Pugh”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 160 SPONSOR: Senator Frosh

SUBJECT: Civil Actions – Personal Injury or Death Caused by Dog – Rebuttable Presumption

THIRD READING CALENDAR HOUSE NO. 12 SENATE NO. 36

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the House Judiciary Committee Amendments (SB0160/922917/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0160/733825/2) be adopted.

SB0160/733825/2

BY: Conference Committee

AMENDMENTS TO SENATE BILL 160

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Dog” in line 2 down through “Presumption” in line 3 and substitute “Dog”; in line 4, after “of” insert “establishing that an owner of a dog is liable for damages for a personal injury to or the death of a minor under a certain age caused by a dog except under certain circumstances;”; strike beginning with “providing” in line 7 down through “evidence;” in line 8; and in line 9, after the semicolon insert “defining a certain term;”.

AMENDMENT NO. 2

On page 2, after line 2, insert:

“(A) (1) IN THIS SECTION, “OWNER OF A DOG” INCLUDES:

(I) A CUSTODIAL PARENT OR GUARDIAN OF A MINOR WHO IS AN OWNER OF A DOG; AND

(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERSON WHO KEEPS OR HARBORS A DOG.

(2) “OWNER OF A DOG” DOES NOT INCLUDE A VETERINARY HOSPITAL, A COMMERCIAL KENNEL, AN ANIMAL SHELTER, A UNIT OF STATE OR LOCAL GOVERNMENT THAT CONDUCTS ANIMAL CONTROL, OR A PET SHOP, OR AN EMPLOYEE, ACTING IN THE COURSE OF EMPLOYMENT, OF A VETERINARY HOSPITAL, A COMMERCIAL KENNEL, AN ANIMAL SHELTER, A UNIT OF STATE OR

LOCAL GOVERNMENT THAT CONDUCTS ANIMAL CONTROL, OR A PET SHOP AS TO A DOG BEING TREATED, BOARDED, SHELTERED, CONTROLLED, OR OFFERED FOR ADOPTION OR SALE.

(B) THIS SECTION DOES NOT APPLY TO A DOG BEING USED BY AN EMPLOYEE OF A GOVERNMENTAL UNIT IN MILITARY OR POLICE WORK, IF THE EMPLOYEE WAS COMPLYING WITH A WRITTEN POLICY ADOPTED BY THE GOVERNMENTAL UNIT ON THE NECESSARY AND APPROPRIATE USE OF A DOG IN MILITARY OR POLICE WORK AND THE PERSONAL INJURY OR DEATH OCCURRED AS A RESULT OF:

(1) REASONABLE USE OF FORCE; OR

(2) TRAINING OR A TRAINING EXERCISE IN SUPPORT OF THE DOG'S DUTIES IN MILITARY OR POLICE WORK.

(C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN OWNER OF A DOG IS LIABLE FOR DAMAGES FOR A PERSONAL INJURY TO OR THE DEATH OF A MINOR WHO IS UNDER THE AGE OF 13 YEARS CAUSED BY A DOG, REGARDLESS OF WHETHER THE DOG HAS SHOWN ANY VICIOUS OR DANGEROUS PROPENSITIES OR WHETHER THE OWNER KNEW OR SHOULD HAVE KNOWN OF THE DOG'S VICIOUS OR DANGEROUS PROPENSITIES.

(2) AN OWNER OF A DOG IS NOT LIABLE UNDER THIS SUBSECTION, IF AT THE TIME THE DOG CAUSED THE PERSONAL INJURY OR DEATH:

(I) THE MINOR WAS TRESPASSING ON THE REAL PROPERTY OF THE OWNER OF THE DOG AND CONSPICUOUSLY POSTED ON THE REAL PROPERTY WAS A SIGN OR WARNING STATING "BEWARE OF DOG";

(II) THE MINOR WAS COMMITTING A DELINQUENT ACT ON THE REAL PROPERTY OF THE OWNER OF THE DOG THAT WOULD BE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT;

(III) THE MINOR WAS COMMITTING A DELINQUENT ACT AGAINST THE OWNER OF THE DOG THAT WOULD BE A CRIMINAL OFFENSE IF COMMITTED BY AN ADULT; OR

(IV) THE DOG WAS IN THE TEMPORARY CUSTODY OR CONTROL OF A VETERINARY HOSPITAL OR COMMERCIAL KENNEL.”.

AMENDMENT NO. 3

On page 2, in lines 3, 13, and 23, strike “(A)”, “(B)”, and “(C)”, respectively, and substitute “(D)”, “(E)”, and “(F)”, respectively; in line 3, after “(1)” insert “**THIS SUBSECTION APPLIES TO:**

(I) AN INDIVIDUAL AT LEAST 13 YEARS OLD; AND

(II) AN INDIVIDUAL UNDER THE AGE OF 13 IF THE OWNER OF A DOG IS NOT LIABLE UNDER SUBSECTION (C) OF THIS SECTION.

(2);

in line 8, strike “(2)” and substitute “(3)”; and strike in their entirety lines 10 through 12, inclusive.

AMENDMENT NO. 4

On page 2, in line 21, after “PROPERTY” insert “**OTHER THAN THE OWNER OF THE DOG**”.

Senate Members:

House Members:

Chair, **Jamie Raskin**

Chair, **Kathleen M. Dumais**

Bobby A. Zirkin

Luke Clippinger

Christopher B. Shank

John W. E. Cluster, Jr.

Read in the Senate:

Read in the House of Delegates:

AMENDED IN THE HOUSE

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

Senator Kasemeyer moved that the Senate concur in the House amendments.

SB0202/895969/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 202
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, strike “providing for the termination of this Act.”.

AMENDMENT NO. 2

On page 3, strike beginning with “It” in line 14 down through “effect.” in line 16.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1226)

CONCURRENCE CALENDAR #28

AMENDED IN THE HOUSE

Senate Bill 484 – Senators Dyson, Astle, Colburn, Conway, Jacobs, Madaleno, Manno, Pinsky, Pipkin, and Simonaire

AN ACT concerning

Income Tax Credit – Oyster Shell Recycling

Senator Kasemeyer moved that the Senate not concur in the House amendments.

SB0484/245467/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 484
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 9, after “regulations;” insert “providing that the credit allowed under this Act is subject to the Tax Credit Evaluation Act;”; and in line 10, after “Act;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 1, after line 11, insert:

“BY repealing and reenacting, with amendments,
Article – Tax – General
Section 1–303(e)
Annotated Code of Maryland
(2010 Replacement Volume and 2012 Supplement)”.

AMENDMENT NO. 3

On page 1, after line 19, insert:

“1–303.

(e) On or before July 1, 2017, an evaluation shall be made of the tax credits under:

(1) § 9–230 of the Tax – Property Article, § 6–116 of the Insurance Article, and § 10–704.8 of this article (new job creating businesses); [and]

(2) § 10–726 of this article (biotechnology investment incentive); AND

(3) § 10–724.1 OF THIS ARTICLE (OYSTER SHELL RECYCLING).”.

AMENDMENT NO. 4

On page 2, after line 17, insert:

“(C) (1) THE TOTAL AMOUNT OF CREDITS APPROVED BY THE DEPARTMENT UNDER SUBSECTION (B)(1) OF THIS SECTION MAY NOT EXCEED \$50,000 FOR ANY CALENDAR YEAR.

(2) IF THE TOTAL AMOUNT OF CREDITS APPLIED FOR BY ALL INDIVIDUALS AND CORPORATIONS UNDER SUBSECTION (B)(1) OF THIS SECTION EXCEEDS THE MAXIMUM SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT SHALL APPROVE A CREDIT UNDER SUBSECTION (B)(1) OF THIS SECTION FOR EACH APPLICANT IN AN AMOUNT EQUAL TO THE PRODUCT OF MULTIPLYING THE CREDIT APPLIED FOR BY THE APPLICANT TIMES A FRACTION:

(I) THE NUMERATOR OF WHICH IS THE MAXIMUM SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) THE DENOMINATOR OF WHICH IS THE TOTAL OF ALL CREDITS APPLIED FOR BY ALL APPLICANTS UNDER SUBSECTION (B)(1) OF THIS SECTION IN THE CALENDAR YEAR.”;

and in line 18, strike “(C)” and substitute “(D)”.

AMENDMENT NO. 5

On page 2, in line 27, after “2012.” insert “It shall remain effective for a period of 5 years and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

The preceding 5 amendments were read and not concurred in.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:
Ladies and Gentlemen of the House of Delegates:

BILL: **SB 0484**
SPONSOR: Sen Dyson, et al
SUBJECT: Income Tax Credit – Oyster Shell Recycling

The Senate refuses to concur in the House amendments and respectfully requests the House recede from its position.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Colburn, Chairman
 Senator Robey
 Senator Madaleno.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,
 Secretary

Read and adopted.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 128	Sen. Glassman	Harford County – Alcoholic Beverages – Hours of Sale for Class B Licensees
SB 129 (Emergency Bill)	Sen. Glassman	Harford County – Alcoholic Beverages – Class H–CC (Corporate Club/Conference Center) License
SB 131	Sen. Glassman	Harford County Liquor Control Board – Reserve Account
SB 280	Chair, EHE Com.	Landscape Architects – License Renewal – Continuing Professional Competency Requirement
SB 321	Sen. Brinkley	Frederick County – Alcoholic Beverages – License Fees
SB 371	Sen. Edwards	Garrett County – Alcoholic Beverages – Sunday Sales
SB 629 (Emergency Bill)	Sen. Edwards	Allegany County – Video Lottery Facility Sales and Consumption

SB 631	Sen. King	Hotel Rental Tax – Exemption – Lodging at a Corporate Training Center
SB 697	Sen. Raskin	Corporations and Associations – Conversions
SB 758	Sen. Ramirez	Labor and Employment – Lien for Unpaid Wages – Establishment
SB 926	Sen. Pinsky	Ed – State and Local Aid Program for Certification or Renewal of Certification – Sunset Repeal
SB 955	Sen. Brinkley	Alcoholic Beverages – Refillable Containers – Class 5 Manufacturer’s License

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 34 – ~~Delegate Aumann~~ Delegates Aumann, Kipke, McDonough, Oaks, and Pena-Melnyk

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 Rules.

House Bill 43 – Delegate Glass

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 declaring the intent of the General Assembly; 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 Rules.

House Bill 77 – Delegate McHale

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 Rules.

House Bill 530 – Delegate Pena–Melnyk

AN ACT concerning

Education – School Vehicle – On Board Attendant Vehicles – Authorized Riders

FOR the purpose of ~~prohibiting an individual from serving as a school vehicle on board attendant, unless the attendant is a certain employee and is in possession of certain identification; authorizing the Motor Vehicle Administration to adopt regulations concerning qualifications of school vehicle on board attendants with the advice of the State Department of Education~~ prohibiting the driver of a school vehicle from allowing certain individuals to board or ride on the school vehicle, subject to certain exceptions; authorizing certain individuals to board or ride on a school vehicle under certain circumstances; and generally relating to school vehicle on board attendant riders on school vehicles.

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 Rules.

House Bill 778 – Delegates Conway, Costa, Jacobs, Malone, Morhaim, Otto, Rudolph, ~~and Wood~~ Wood, Hubbard, and Krebs

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; establishing a Workgroup to Study the Laws and Policies Related to the Distribution of Money to Volunteer and Career Companies; providing for the membership and duties of the Workgroup; providing for the designation of a chair of the Workgroup; prohibiting members of the Workgroup from receiving compensation; authorizing members to receive certain reimbursement; requiring the Workgroup to report its findings and recommendations to the Governor and the General Assembly on or before a certain date; providing for the application of this Act; providing for the termination of certain provisions 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.

House Bill 959 – Delegate Lee (Commission on Maryland Cybersecurity Innovation and Excellence) and Delegates Bobo, Cullison, DeBoy, Dumais, Eckardt, Healey, Hough, McDonough, A. Miller, Mizeur, Pendergrass, B. Robinson, S. Robinson, Stocksdale, F. Turner, and Valderrama

AN ACT concerning

Governmental Procedures – Security and Protection of Information

FOR the purpose of requiring a certain unit, when destroying ~~a resident's~~ an individual's records that contain certain personal ~~or private~~ information of the ~~resident~~ individual, 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~~ an individual 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~~ an individual to conduct a certain investigation under certain circumstances ~~and~~; requiring, except under certain circumstances, a unit or, under certain circumstances, a nonaffiliated third party to 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; providing that a unit or nonaffiliated third party that complies with certain provisions of federal law is deemed to be in compliance with this Act; defining certain terms; providing for the applicability application of a certain provision of this Act; providing for a delayed effective date; 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~~ 10–1308 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 Rules.

House Bill 1169 – Delegates Hucker, Barve, Cardin, Dumais, Kaiser, A. Kelly, Lee, Mizeur, Niemann, Rosenberg, V. Turner, and Valderrama

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 Rules.

House Bill 1231 – ~~Delegates McMillan, Cardin, and Serafini~~ Delegate McMillan

AN ACT concerning

State Aid – Business Transparency and Financial Disclosure Act

FOR the purpose of requiring certain corporations that receive certain State subsidies of at least a certain amount to file a certain annual disclosure report with the granting body that provides the subsidy; requiring the disclosure report to contain certain information; requiring the disclosure report to be provided on or before a certain date; requiring a granting body to publish the disclosure report on its Web site on or before a certain date; defining certain terms; and generally relating to the filing of certain disclosure reports.

BY adding to
Article – State Finance and Procurement
Section 7–407
Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1348 – Chair, Health and Government Operations Committee (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Program Evaluation Act – Revisions and Clarifications

FOR the purpose of altering the date by which the Department of Legislative Services must conduct a preliminary evaluation of certain governmental activities or units and prepare certain reports; specifying the entities subject to a preliminary evaluation; specifying the year in which a preliminary evaluation must be conducted; altering certain elements required in a report on a preliminary evaluation; requiring the Department to consider making a certain recommendation if certain problems are identified; requiring the Department to submit certain reports to the Legislative Policy Committee; altering the date by which the Legislative Policy Committee must make a certain determination; requiring the Department to conduct a full evaluation of a governmental activity or unit under certain circumstances; requiring the Department to prepare a certain report on each full evaluation conducted; specifying the entities subject to a full evaluation without the need for a preliminary evaluation; specifying the year in which a full evaluation must be conducted; altering the date by which the Department must complete certain full evaluation reports; specifying the focus of a full evaluation report; requiring the Department to submit certain reports to certain committees of the General Assembly; altering the date by which certain committees of the General Assembly must hold certain public hearings; requiring certain committees of the General Assembly rather than certain evaluation committees to submit a certain report to the General Assembly; altering the recommendations that must be included in certain reports; repealing the requirement that an evaluation be completed by an evaluation committee; repealing the requirement that an evaluation plan be completed; requiring certain entities to provide certain information and cooperate with the Department to carry out certain requirements; authorizing certain information to be provided to the Department in a certain format; requiring the Department to follow certain confidentiality procedures; defining certain terms; and generally relating to the Maryland Program Evaluation Act.

BY repealing and reenacting, with amendments,

Article – State Government

Section 8–401, 8–403, and 8–409 through 8–413

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 8–402
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY repealing
Article – State Government
Section 8–404 through 8–408
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

BY adding to
Article – State Government
Section 8–404, 8–405, and 8–408
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1482 – Delegate Cane

AN ACT concerning

Hunting – Domesticated, ~~Stray, or Feral~~ Animals – Prohibited Acts

FOR the purpose of prohibiting a person from intentionally or willfully destroying or damaging a domesticated animal of another person ~~or a stray or feral animal~~ while hunting or pursuing wildlife in certain areas; and generally relating to prohibited acts while hunting or pursuing wildlife.

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 10–410(g)
Annotated Code of Maryland
(2012 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 10–424
Annotated Code of Maryland
(2012 Replacement Volume)

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

House Bill 1502 – Delegates Healey, Barve, Boteler, George, Hixson, Howard, Ivey, A. Miller, V. Turner, and A. Washington

SECOND PRINTING

AN ACT concerning

Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools

FOR the purpose of establishing the Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools; providing for the membership, chair, and staff for the Task Force; prohibiting a member of the Task Force from receiving certain compensation; authorizing a member of the Task Force to receive reimbursement for certain expenses; requiring the Task Force to study issues relating to a post–Labor Day start date for Maryland public schools; requiring the Task Force to 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 the Task Force to Study a Post–Labor Day Start Date for Maryland Public Schools.

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

THE COMMITTEE ON RULES REPORT #18

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re–referred to the Committee on Finance:

House Bill 621 – Delegates Niemann and Hucker

AN ACT concerning

Maryland Energy Administration – Regulated Sustainable Energy Contract Program

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:

House Bill 1031 – Delegates Hixson, Arora, Barve, Carr, Feldman, Gutierrez, Lee, Luedtke, A. Miller, Mizeur, and S. Robinson

AN ACT concerning

Estate Tax and Income Tax – ~~Qualifying Income Interest for Life Marital Deduction~~ and Subtraction Modification for Health Insurance ~~and Medical Expenses~~

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:

House Bill 1073 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County Board of Education – Financial Literacy Curriculum
–~~Graduation Requirement~~
PG 419–13**

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:

House Bill 1124 – Delegates Stein, Cardin, ~~and Morhaim~~ Morhaim, and Kach

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 Education, Health, and Environmental Affairs:

House Bill 1387 – Frederick County Delegation

AN ACT concerning

Frederick County – Alcoholic Beverages – Banquet Facility License

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:

**House Bill 1534 – Delegates Frush, Barnes, Cardin, Conway, DeBoy, Gaines,
Jameson, Kipke, Myers, Pena–Melnyk, Schuh, and Stukes**

EMERGENCY BILL

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Water Heating Systems

The bill was re-referred to the Committee on Finance.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #41

House Bill 153 – Delegates Anderson, Vallario, Clippinger, Cluster, Conaway, Dumais, Glenn, Hough, Ivey, McComas, McDermott, Mitchell, Parrott, Smigiel, and Valderrama

AN ACT concerning

Office of the Public Defender – Representation at Bail Hearing – Provisional

FLOOR AMENDMENT

HB0153/103225/1

BY: Senator Frosh

AMENDMENT TO HOUSE BILL 153, AS AMENDED

In the Judicial Proceedings Committee Amendments (HB0153/688379/2), in line 2 of Amendment No. 2, strike “SUPERVISORY”.

The preceding amendment was read and adopted.

Read the third time and passed by yeas and nays as follows:

Affirmative – 34 Negative – 12 (See Roll Call No. 1227)

The Bill was then sent to the House of Delegates.

House Bill 1059 – Delegate Haynes

AN ACT concerning

Video Lottery Operation Licensees – Employee Data Collection

Read the third time and passed by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1228)

The Bill was then sent to the House of Delegates.

House Bill 1343 – Delegates Glenn, Anderson, Bromwell, Carter, Conaway, Cullison, Frush, Hubbard, Kach, A. Kelly, Mitchell, Morhaim, Murphy, Oaks, Pena–Melynk, Stukes, Tarrant, ~~and M. Washington~~ M. Washington, Hammen, Pendergrass, Kipke, McDonough, Nathan–Pulliam, Elliott, Frank, Ready, and V. Turner

AN ACT concerning

**Department of Health and Mental Hygiene – Workgroup on Cancer Clusters
and Environmental Causes of Cancer**

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1229)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: SB 161 SPONSOR: Senator Kelley

**SUBJECT: Real Property – Common Ownership
Communities – Foreclosure of Liens**

THIRD READING CALENDAR HOUSE NO. 19 SENATE NO. 15

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the Environmental Matters Committee Amendments (SB0161/410213/1) be rejected.

(2) That the attached Conference Committee Amendments (SB0161/293922/1) be adopted.

SB0161/293922/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 161

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Kelley” and substitute “Senators Kelley and Muse”; in line 4, strike “, member,”; in line 6, after “assessments” insert “and certain reasonable costs and attorney’s fees”; and in the same line, after “circumstances;” insert “providing for the application of this Act.”.

AMENDMENT NO. 2

On page 2, in line 13, after “**ARTICLE,**” insert “OR”; strike beginning with “**A**” in line 14 down through “**3.**” in line 17; in line 27, strike “**OF DELINQUENT**” and substitute “OF:”

1. DELINQUENT;

in the same line, after “**PERIODIC**” insert “ASSESSMENTS”; and after line 28, insert:

“2. REASONABLE COSTS AND ATTORNEY’S FEES DIRECTLY RELATED TO THE FILING OF THE LIEN AND NOT EXCEEDING THE AMOUNT OF THE DELINQUENT ASSESSMENTS; AND”.

On pages 2 and 3, strike beginning with the comma in line 32 on page 2 down through “**MEMBER,**” in line 1 on page 3.

On page 3, strike beginning with “**FOR**” in line 1 down through “**ASSESSMENTS**” in line 2; after line 2, 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 lien filed before the effective date of this Act.”;

and in line 3, strike “**2.**” and substitute “3.”.

Senate Members:

House Members:

Chair, **C. Anthony Muse**

Chair, **Doyle L. Niemann**

Bobby A. Zirkin

Pamela Beidle

Christopher B. Shank

Wayne Norman

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

() Chief Clerk
(X) Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1230)

The Bill was then sent to the House of Delegates.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 1250 – Delegates Valderrama, Clippinger, and Valentino-Smith

AN ACT concerning

Crimes – Threat of Mass Violence

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Muse moved, duly seconded, to make the Bill a Special Order for evening session.

The motion was adopted.

House Bill 508 – Delegates Carr, Hucker, Niemann, and Reznik

AN ACT concerning

Environment – Local Stormwater Management Charges – State Property

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

HB0508/704336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 508

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Management Charges – State Property” and substitute “Remediation Fee – Limitation and Workgroup”; strike beginning with “providing” in line 15 down through “date” in line 24 and substitute “limiting the amount of a certain stormwater remediation fee assessed on property owned by a certain charitable nonprofit group or organization; establishing the Workgroup to Study Current Stormwater Management and Remediation Actions for State and Local Property; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study certain matters and make a certain determination; requiring the Workgroup to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act”; in line 25, after “to” insert “local”; and in the same line, after “management” insert “and remediation”.

On page 2, in line 8, strike “and (f)(1)”.

AMENDMENT NO. 2

On page 5, in line 7, strike “Except as provided in” and substitute “**SUBJECT TO**”; in lines 7, 11, 22, and 33, in each instance, strike the bracket; in line 7, strike “**PARAGRAPHS**”; in the same line, strike “**AND (3)**”; in line 11, after “**(2)**” insert “**(1)**”; after line 14, insert:

“(II) A STORMWATER REMEDIATION FEE ASSESSED UNDER THIS SECTION ON PROPERTY OWNED BY A CHARITABLE NONPROFIT GROUP OR ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OR (D) OF THE INTERNAL REVENUE CODE MAY NOT EXCEED \$250 PER 1/2 ACRE OF IMPERVIOUS SURFACE.”;

strike in their entirety lines 15 through 21, inclusive; and in lines 22 and 33, strike “(4)” and “(5)”, respectively.

On page 6, strike in their entirety lines 3 through 10, inclusive.

AMENDMENT NO. 3

On page 6, after line 10, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup to Study Current Stormwater Management and Remediation Actions for State and Local Property.

(b) The Workgroup consists of the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of the Environment, or the Secretary’s designee;

(4) the Secretary of Budget and Management, or the Secretary’s designee;

(5) two representatives of the Maryland Municipal League, appointed by the Maryland Municipal League; and

(6) two representatives of the Maryland Association of Counties, appointed by the Maryland Association of Counties.

(c) The members of the Workgroup shall elect a chair from among its members.

(d) The Department of the Environment shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) study stormwater management and remediation actions currently undertaken for property owned by units of State, county, and municipal government; and

(2) determine whether it is appropriate for local governments to impose a stormwater remediation fee on property owned by units of State, county, and municipal government.

(g) On or before December 31, 2013, the Workgroup shall report its findings and recommendations to the General Assembly in accordance with § 2-1246 of the State Government Article.”;

in line 11, strike “2.” and substitute “3.”; and in line 12, strike “July 1, 2014” and substitute “June 1, 2013. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of May 31, 2014, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect”.

The preceding 3 amendments were read only.

Senator Kasemeyer moved, duly seconded, to make the Bill and Amendments a Special Order for evening session.

The motion was adopted.

CONCURRENCE CALENDAR #31

AMENDED IN THE HOUSE

**Senate Bill 610 – Senators Klausmeier, Brinkley, Madaleno, ~~and Montgomery~~
Montgomery, Astle, Garagiola, Glassman, Kelley, Kittleman, Mathias,
Middleton, Pipkin, Pugh, and Ramirez**

AN ACT concerning

Health – Overdose Response Program – Establishment

Senator Middleton moved that the Senate concur in the House amendments.

SB0610/226782/1

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL 610

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 6, strike “or other”.

AMENDMENT NO. 2

On page 7, in line 24, strike “OR OTHER”; and in line 25, after “ARTICLE” insert “SOLELY”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1231)

AMENDED IN THE HOUSE

Senate Bill 634 – Senators Peters, Currie, DeGrange, Glassman, Kittleman, Klausmeier, and Robey

AN ACT concerning

Commercial Law – Self-Service Storage Facilities

Senator Middleton moved that the Senate concur in the House amendment.

SB0634/863396/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 634

(Third Reading File Bill)

On page 4, in line 6, after “(2)” insert “**(I)**”; and after line 11, insert:

“(II) IF THE OPERATOR NOTIFIES THE OCCUPANT OF THE DEFAULT BY ELECTRONIC MAIL AT THE OCCUPANT’S LAST KNOWN ADDRESS AND DOES NOT RECEIVE A RESPONSE OR A CONFIRMATION OF DELIVERY SENT FROM THE OCCUPANT’S ELECTRONIC MAIL ADDRESS, THE OPERATOR SHALL SEND A SECOND NOTICE OF DEFAULT TO THE OCCUPANT BY VERIFIED MAIL TO THE OCCUPANT’S LAST KNOWN POSTAL ADDRESS.”

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 38 Negative – 8 (See Roll Call No. 1232)

AMENDED IN THE HOUSE

Senate Bill 888 – ~~Senator Garagiola~~ Senators Garagiola, Klausmeier, and Muse

AN ACT concerning

Task Force to Study Temporary Disability Insurance Programs and the Process for Assisting Individuals with Disabilities at Local Departments of Social Services

Senator Middleton moved that the Senate concur in the House amendments.

SB0888/493690/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 888

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in lines 2 and 4, in each instance, strike “three” and substitute “two”; in line 16, strike “the American Cancer Society” and substitute “All Shades of Pink”; after line 18, insert:

“(v) one representative of the Leukemia and Lymphoma Society;”;

in lines 19, 20, 22, 23, and 24, strike “(v)”, “(vi)”, “(vii)”, “(viii)”, and “(ix)”, respectively, and substitute “(vi)”, “(vii)”, “(viii)”, “(ix)”, and “(x)”, respectively; in line 19, strike “three” and substitute “two”; in line 23, strike “and”; and in line 24, after “services” insert “; and”

(xi) at least two representatives of cancer treatment centers in the State who perform patient navigation services”.

AMENDMENT NO. 2

On page 3, in line 28, after “injury” insert “, including individuals undergoing treatment for cancer,”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1233)

QUORUM CALL

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

(See Roll Call No. 1234)

ADJOURNMENT

At 3:36 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 5:30 P.M. on Legislative Day April 4, 2013, Calendar Day, Monday, April 8, 2013.

Annapolis, Maryland
Legislative Day: April 4, 2013
Calendar Day: Monday, April 8, 2013
5:30 P.M. Session

The Senate met at 5:51 P.M.

QUORUM CALL

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

(See Roll Call No. 1235)

The Journal of April 3, 2013 was read and approved.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 1372 SPONSOR: Delegate Jones

**SUBJECT: Prior Authorizations of State Debt to Fund
Capital Projects – Alterations**

THIRD READING CALENDAR HOUSE NO. 62 SENATE NO. 5

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That Amendment Numbers 1, 2, 3, 7, 8, 10, and 14 through 17 of the attached Budget and Taxation Committee Amendments (HB1372/419530/1) be rejected.

(2) That Amendment Numbers 4, 5, 6, 9, and 11 through 13 of the attached Budget and Taxation Committee Amendments (HB1372/419530/1) be adopted.

(3) That the attached Conference Committee Amendments (HB1372/413829/1) be adopted.

HB1372/419530/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1372

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike in their entirety lines 15 through 19, inclusive.

On page 2, after line 17, insert:

“BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by
Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(C)”.

On page 3, after line 14, insert:

“BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(S)”;

in line 33, strike “and (AL)” and substitute “(AL), and (BJ)”; and in line 34, strike “and (AV)” and substitute “(AV), and (AW)”.

On page 4, in line 7, after “(F),” insert “(L)”; in line 10, strike “ZA02(AB)”; in the same line, strike “(J),”; in line 11, strike “(T)”; and in the same line, strike “(X)”.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 15 through 35, inclusive.

AMENDMENT NO. 3

On page 7, in line 37, strike the opening bracket; in line 38, strike the closing bracket; in line 39, strike “**OF \$225,000**”; and in line 40, after “County,” insert “**AND THE BOARD OF DIRECTORS OF THE HISTORIC PERRY HALL MANSION, INC.**”.

AMENDMENT NO. 4

On page 7, after line 7, insert:

“Chapter 445 of the Acts of 2005, as amended by Chapter 639 of the Acts of 2012

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(C) Babe Ruth Birthplace and Museum. Provide a grant to the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. to assist in the design, construction, renovation, and equipping of improvements to the Babe Ruth Birthplace and Museum. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2013] 2014 (Baltimore City) 250,000”.

AMENDMENT NO. 5

On page 12, after line 34, insert:

“Chapter 485 of the Acts of 2009, as amended by Chapter 639 of the Acts of 2012

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA00 MISCELLANEOUS GRANT PROGRAMS

(S) [Robert E. Lee Park] PERRY HALL GYMNASIUM PROJECT. Provide a grant to the County Executive and County Council of Baltimore County ON BEHALF OF THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS for the PLANNING, design, construction, and capital equipping of improvements to [Robert E. Lee Park] THE PERRY HALL GYMNASIUM in Baltimore County, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore County)..... 3,000,000”.

AMENDMENT NO. 6

On page 11, in line 4, strike “483” and substitute “485”.

AMENDMENT NO. 7

On page 15, in line 19, strike the opening bracket; in line 21, strike “1 OF \$50,000”; in line 24, strike the opening bracket; and in line 28, strike the closing bracket.

AMENDMENT NO. 8

On page 16, in line 3, strike the opening bracket; in line 5, strike “1 OF \$25,000”; in line 8, strike the opening bracket; and in line 12, strike the closing bracket.

AMENDMENT NO. 9

On page 16, in line 16, strike “(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES”; and after line 32, insert “(3) ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES”.

AMENDMENT NO. 10

On page 18, strike in their entirety lines 29 and 30; in line 32, strike the opening bracket; in line 33, strike the closing bracket; in line 34, strike “OF \$175,000”; in line 37, strike the opening bracket; and in line 38, strike the closing bracket and substitute a period.

AMENDMENT NO. 11

On page 19, before line 27, insert:

“(BJ) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s County Boys and Girls Club, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard, signs, and stands FOR THE CAPITOL HEIGHTS AND SEAT PLEASANT BOYS AND GIRLS CLUB FIELD, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT

EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED
(Prince George’s County) 25,000”.

AMENDMENT NO. 12

On page 22, after line 14, insert:

“(AW) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s County Boys and Girls Club, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard, signs, and stands for the Capitol Heights and Seat Pleasant Boys and Girls Club field, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2014, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County) 75,000”.

AMENDMENT NO. 13

On page 23, after line 3, insert:

“(L) Maryland Science Center – Planetarium Improvements. Provide a grant to the Board of Trustees of the Maryland Science Center, Inc. for the renovation and capital equipping of the planetarium, subject to the requirement that the grantee provide an equal and matching fund for this purpose. NOTWITHSTANDING THE PROVISIONS OF SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT (Baltimore City) 550,000”.

AMENDMENT NO. 14

On page 27, strike in their entirety lines 31 through 39, inclusive.

AMENDMENT NO. 15

On page 31, strike in their entirety lines 31 through 39, inclusive.

AMENDMENT NO. 16

On page 32, strike in their entirety lines 19 through 26, inclusive.

AMENDMENT NO. 17

On pages 32 and 33, strike in their entirety the lines beginning with line 41 on page 32 through line 9 on page 33, inclusive.

HB1372/413829/1

BY: Conference Committee

AMENDMENTS TO HOUSE BILL 1372
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, after line 17, insert:

“BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by
Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(C)”.

On page 3, after line 3, insert:

“BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by
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 ZA02(BQ)”;

after line 14, insert:

“BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by
Chapter 639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(S)”;

in line 33, strike “and (AL)” and substitute “(AL), and (BJ)”; and in line 34, strike “and (AV)” and substitute “(AV), and (AW)”.

On page 4, in line 7, after “(F),” insert “(L)”; in line 9, after “(Z),” insert “(AB)”; and in line 10, strike “ZA02(AB)”.

AMENDMENT NO. 2

On page 7, in line 40, after “County,” insert “AND THE BOARD OF DIRECTORS OF THE HISTORIC PERRY HALL MANSION, INC.”.

AMENDMENT NO. 3

On page 11, after line 3, insert:

“Chapter 336 of the Acts of 2008, as amended by Chapter 372 of the Acts of 2010, and Chapter 639 of the Acts of 2012

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(3) ZA02 LOCAL HOUSE INITIATIVES

(BQ) Rosaryville Conservancy Tack House and Stables. Provide a grant [equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided,] OF \$100,000 to the Board of Directors of the Rosaryville Conservancy, Inc. for the repair, renovation, and restoration of the tack house and stables located in the conservancy area on the grounds of the Mount Airy Mansion, located in Upper Marlboro[. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions and funds expended prior to the effective date of this Act and the grantee has until June 1, 2013, to present evidence that a matching fund will be provided] (Prince George’s County)..... 100,000”.

AMENDMENT NO. 3

On page 18, strike in their entirety lines 29 and 30.

Senate Members:

House Members:

Chair, **James E. DeGrange, Sr.**

Chair, **Adrienne A. Jones**

Edward J. Kasemeyer

Norman H. Conway

Douglas J. J. Peters

Melony G. Griffith

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

Chief Clerk

Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1236)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 753 SPONSOR: Delegate Malone

**SUBJECT: Motor Vehicles – Use of Wireless
Communication Device – Prohibited Acts, Enforcement,
and Penalties**

THIRD READING CALENDAR HOUSE NO. 36 SENATE NO. 7

Hon. Thomas V. Mike Miller, Jr., President of the Senate

Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the attached Judicial Proceedings Committee Amendments (HB0753/688374/1) be adopted.

HB0753/688374/1

BY: Judicial Proceedings Committee

AMENDMENTS TO HOUSE BILL 753

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 6 down through “roadway;” in line 11; in line 13, strike “repealing a certain provision of law”; and in line 14, strike “first” and substitute “second or subsequent”.

AMENDMENT NO. 2

On page 2, in lines 20 and 21, strike “**IN THE TRAVEL PORTION OF THE ROADWAY**”.

On page 4, in line 7, strike the brackets; in the same line, strike “**THE TRAVEL PORTION OF THE ROADWAY**”; in line 12, strike the brackets; in lines 12 and 13, strike “**THE TRAVEL PORTION OF THE ROADWAY**”; in line 19, after “(f)” insert a closing bracket; in line 21, strike “\$40; and” and substitute “**\$75;**”; in line 22, strike “or subsequent”; in the same line, strike “of \$100” and substitute “**OF NOT MORE THAN \$125; AND**”

(III) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF NOT MORE THAN \$175;

in line 23, strike beginning with “For” through “points” and substitute “**POINTS**”; in line 26, strike “(g)” and substitute “**(F)**”; in the same line, in each instance, strike the bracket; and in lines 26 and 27, strike “**THE PENALTY FOR A VIOLATION**”.

Senate Members:

House Members:

Chair, **James Brochin**

Chair, **James E. Malone, Jr.**

Jamie Raskin

Dana Stein

Christopher B. Shank

Herb McMillan

Read in the Senate: Read in the House of Delegates:

Amendment Office Delivers Report to: (X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 40 Negative – 5 (See Roll Call No. 1237)

The Bill was then sent to the House of Delegates.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 184 SPONSOR: Delegate Lafferty

SUBJECT: Income Tax Credit – Oyster Shell Recycling

THIRD READING CALENDAR HOUSE NO. 27 SENATE NO. 15

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

That the attached Senate Budget and Taxation Committee Amendments (HB0184/309936/1) be adopted.

HB0184/309936/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 184
(Third Reading File Bill)

On page 1, strike beginning with “providing” in line 9 down through “Act;” in line 11; and strike in their entirety lines 13 through 17, inclusive.

On page 2, strike in their entirety lines 5 through 11, inclusive.

Senate Members:

House Members:

 Chair, **Richard F. Colburn**

 Chair, **Kumar P. Barve**

James N. Robey

Talmadge Branch

Richard S. Madaleno, Jr.

Kathy Afzali

 Read in the Senate:

 Read in the House of Delegates:

 Amendment Office Delivers Report to:

(X) Chief Clerk

() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1238)

The Bill was then sent to the House of Delegates.

YEAS AND NAYS

SENATE BILLS PASSED IN THE HOUSE

NUMBER	SPONSOR	CONTENT
SB 11	Sen. Astle	Natural Resources – State Boat Act – Expiration of Temporary Certificate of Boat Number
SB 199	Sen. Frosh	Real Property – Refinance Mortgage – Priority over Junior Liens
SB 366	Sen. Jones–Rodwell	Baltimore City – Extinguishment or Redemption of Ground Rents
SB 575	Sen. Simonaire	Environment – Maryland Clean Water Fund – Annual Report
SB 642	Sen. Muse	Residential Property – Prohibition on Nonjudicial Evictions
SB 696	Sen. Stone	Manufactured Homes –

		Affixation to Real Property – Liens
SB 748	Sen. Middleton	Agriculture – Nutrient Management – Limiting Applicability
SB 750	Sen. Robey	Public Safety – Md Bldg Performance Standards – Local Wind Design and Wind-Borne Debris Standards
SB 849	Sen. Ramirez	Public Utilities – Consumer Relations – Tenant Payment of Landlord Utility Bills
SB 854	Sen. Edwards	Environment – Gas and Oil Drilling – Financial Assurance
SB 1049	Sen. Mathias	Recycling – Apartment Buildings and Condominiums – Ocean City

Endorsed as having been read the third time and passed by yeas and nays in the House of Delegates.

MESSAGE FROM THE HOUSE OF DELEGATES

FIRST READING OF HOUSE BILLS

House Bill 61 – Delegates McConkey and Waldstreicher, Waldstreicher, Barve, Hammen, Pendergrass, Bromwell, Cullison, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, Krebs, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner

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; ~~requiring that a certain amount of the motor vehicle registration fee surcharge be paid into the Fund;~~ defining certain terms; requiring the Department of Health and Mental Hygiene to report to the

General Assembly on or before a certain date on certain issues related to the implementation of this Act; authorizing the Department to contract with a certain entity for a certain purpose; declaring the intent of the General Assembly regarding implementation of administration of the Fund; 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 Rules.

House Bill 869 – Delegate Hubbard

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, subject to certain conditions; 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)~~ 19–2201(e)
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.

House Bill 931 – Delegates Lee, Conaway, Cullison, Dumais, Glenn, Gutierrez, A. Kelly, Mizeur, Nathan–Pulliam, B. Robinson, S. Robinson, Stocksdale, and M. Washington

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 under certain circumstances; requiring the Department of Health and Mental Hygiene to adopt regulations for a certain purpose; 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 Rules.

House Bill 1356 – Delegates Cullison, Barve, Clippinger, Costa, Donoghue, Elliott, Frank, Gutierrez, Hubbard, Hucker, Kach, A. Kelly, Kipke, Krebs, Murphy, Oaks, Pena–Melnik, Reznik, Stocksdales, and V. Turner

AN ACT concerning

Health Care Practitioners – Identification Badge

FOR the purpose of requiring that certain health care practitioners, when providing health care to a patient, wear a badge or other form of identification displaying certain information; providing for ~~a certain exception~~ certain exceptions; ~~requiring each health occupation~~ authorizing each health occupations board to adopt certain regulations, ~~including provisions for taking certain administrative action for a certain violation~~; authorizing the regulations to provide certain exemptions or allow use of a certain name; providing that a violation may be reported to a certain health occupations board; authorizing a health occupations board to send certain letters in response to a reported violation; requiring that certain ~~administrative actions~~ letters be kept confidential; 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 Rules.

House Bill 1388 – ~~Delegate Haddaway–Riccio~~ Delegates Haddaway–Riccio, Hammen, Pendergrass, Bromwell, Cullison, Elliott, Frank, Kach, A. Kelly, Kipke, Krebs, Morhaim, Nathan–Pulliam, Oaks, Pena–Melnik, Ready, Reznik, Tarrant, and V. Turner

AN ACT concerning

~~**Honey License Exemptions**~~
**Department of Health and Mental Hygiene – Study of Honey-Related
Licenses and Permits**

FOR the purpose of ~~altering the definition of “raw agricultural product” to include honey and herb mixtures and flavored honey; exempting a person that manufactures, processes, and sells honey and herb mixtures or flavored honey from the requirement to obtain an on-farm home processing facility license or permit~~ requiring the Department of Health and Mental Hygiene to study whether it is necessary to continue to require a certain license and permit for the sale, manufacturing, and processing of honey and herb mixtures, including flavored honey; requiring the Department to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a study on license and permit requirements for the sale, manufacturing, and processing of honey and herb mixtures and flavored honey.

~~BY repealing and reenacting, with amendments,
Article – Health – General
Section 21-304(d) and 21-308(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article – Health – General
Section 21-308(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

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

House Bill 1431 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – Alcoholic Beverages Licenses – Towne Centre at
Laurel
PG 320-13**

FOR the purpose of removing a certain location from a certain list of areas in Prince George’s County that are underserved by restaurants; authorizing the Prince George’s County Board of License Commissioners to issue a certain number of Class B-DD (Development District) licenses to restaurants located within a certain location; and generally relating to the issuance of Class B-DD (Development District) licenses to restaurants in Prince George’s County.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages
Section 9–217(a)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–217(f)(5) and (7)
Annotated Code of Maryland
(2011 Replacement Volume and 2012 Supplement)

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

House Bill 1481 – Delegate Waldstreicher

AN ACT concerning

Medical Records – Disclosure in Response to Compulsory Process

FOR the purpose of 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; ~~requiring, on or before a certain date, the Office of the Attorney General to develop a certain advisory protocol and voluntary training program; requiring the Office to consult certain entities in developing the advisory protocol and voluntary training program;~~ making a technical change; and generally relating to the disclosure of medical records in response to compulsory process.

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 Rules.

House Bill 1527 – Delegate Beidle

AN ACT concerning

**Anne Arundel County – Human Relations – Violations of County
Discrimination Laws**

FOR the purpose of making applicable in Anne Arundel County certain provisions of law authorizing a person that is subjected to a discriminatory act prohibited by the county code to bring and maintain a certain civil action in a certain manner; and generally relating to violations of Anne Arundel County discrimination laws.

BY repealing and reenacting, with amendments,
Article – State Government
Section 20–1202
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1529 – Delegates Hammen and Pena–Melnyk

AN ACT concerning

**Department of Health and Mental Hygiene – Health Care Staff Agencies –
Regulation**

FOR the purpose of altering certain provisions of law that apply to nursing staff agencies and nursing personnel to apply more broadly to health care staff agencies and certain health care practitioners licensed or certified by certain health occupation boards; requiring a health care staff agency to be licensed by the Office of Health Care Quality in the Department of Health and Mental Hygiene before referring certain health care practitioners to a health care facility to render temporary health care services at a health care facility in this State; making provisions of law that apply to deemed status of accredited health care facilities for purposes of State licensure also apply to health care staff agencies; defining certain terms; altering certain definitions; repealing a certain definition; making conforming and stylistic changes; and generally relating to licensure and accreditation of health care staff agencies.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 19–2001 and 19–2002 to be under the amended subtitle “Subtitle 20. Health Care Staff Agencies”; and 19–2301 and 19–2302 to be under the amended subtitle “Subtitle 23. Accreditation of Health Care Facilities and Health Care Staff Agencies”
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)

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

House Bill 1535 – Delegate Jones

AN ACT concerning

Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution

FOR the purpose of establishing the Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution; providing for the composition, chair, and staffing of the Commission; prohibiting a member of the Commission from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Commission to take certain actions and make recommendations regarding certain matters; requiring the Commission to report its activities, findings, and recommendations to the Governor and the General Assembly on or before a certain date and annually thereafter for a certain period of time; providing for the termination of this Act; and generally relating to the Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution.

BY adding to

Article – State Government

Section 9–3001 to be under the new subtitle “Subtitle 30. Commission on the Commemoration of the 100th Anniversary of the Passage of the 19th Amendment to the United States Constitution”

Annotated Code of Maryland

(2009 Replacement Volume and 2012 Supplement)

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

THE COMMITTEE ON BUDGET AND TAXATION REPORT #32

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably with amendments:

House Bill 613 – Chair, Environmental Matters Committee and Chair, Ways and Means Committee (By Request – Departmental – Planning) and Delegate A. Washington

AN ACT concerning

Sustainable Communities – Designation and Financing

HB0613/209135/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 613
(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, after line 4, insert:

“BY adding toArticle – Housing and Community DevelopmentSection 6–214Annotated Code of Maryland(2006 Volume and 2012 Supplement)”.AMENDMENT NO. 2On page 8, in line 1, strike “**12–203**” and substitute “**12–203(B)**”; and in line 2, strike “**IDENTIFYING THE**” and substitute “**A**”.On page 11, in line 26, after “district” insert “**OR A SUSTAINABLE COMMUNITY**”.AMENDMENT NO. 3

On page 18, after line 20, insert:

“6–214.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A SUSTAINABLE COMMUNITY SHALL RECEIVE PRIORITY FOR STATE FUNDING UNDER THE:

(1) COMMUNITY LEGACY PROGRAM UNDER THIS SUBTITLE;

(2) SUSTAINABLE COMMUNITIES TAX CREDIT PROGRAM FOR COMMERCIAL PROPERTIES UNDER TITLE 5A, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;

(3) NEIGHBORHOOD BUSINESS DEVELOPMENT PROGRAM UNDER SUBTITLE 3 OF THIS TITLE;

(4) MARYLAND HISTORICAL TRUST GRANT PROGRAM UNDER TITLE 5A, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND

(5) AFRICAN AMERICAN HERITAGE GRANT PROGRAM UNDER TITLE 5A, SUBTITLE 3 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(B) PRIORITY FOR STATE FUNDING PROVIDED UNDER SUBSECTION (A) OF THIS SECTION IS AVAILABLE IN A SUSTAINABLE COMMUNITY ONLY IF:

(1) A POLITICAL SUBDIVISION ISSUES BONDS, NOTES, OR OTHER SIMILAR INSTRUMENTS FOR THAT SUSTAINABLE COMMUNITY UNDER:

(I) TITLE 21, SUBTITLE 4, PART II OF THE LOCAL GOVERNMENT ARTICLE;

(II) TITLE 21, SUBTITLE 5 OF THE LOCAL GOVERNMENT ARTICLE; OR

(III) TITLE 12, SUBTITLE 2 OF THE ECONOMIC DEVELOPMENT ARTICLE; OR

(2) A POLITICAL SUBDIVISION DEMONSTRATES TO THE APPROPRIATE UNIT OF STATE GOVERNMENT THAT THE POLITICAL SUBDIVISION HAS FUNDED INFRASTRUCTURE IMPROVEMENTS IN THAT SUSTAINABLE COMMUNITY.”.

On page 19, strike in their entirety lines 10 through 23, inclusive; in line 24, strike “4.” and substitute “3.”; and in line 30, strike “5.” and substitute “4.”.

On page 20, in line 22, strike “6.” and substitute “5.”.

The preceding 3 amendments were read and adopted.

Favorable report, as amended, adopted.

Read the second time and ordered prepared for Third Reading.

Senator Robey moved, duly seconded, to put **House Bill 613** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 613** on Third Reading and Final Passage.

House Bill 613 – Chair, Environmental Matters Committee and Chair, Ways and Means Committee (By Request – Departmental – Planning) and Delegate A. Washington

AN ACT concerning

Sustainable Communities – Designation and Financing

STATUS OF BILL: BILL ON 3RD READING.

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 1 (See Roll Call No. 1239)

The Bill was then sent to the House of Delegates.

Senator Kasemeyer, Chair, for the Committee on Budget and Taxation reported favorably:

House Bill 1017 – Delegates Barve, Myers, ~~and Branch~~ Branch, Afzali, Harper, A. Miller, Serafini, Stukes, and A. Washington

AN ACT concerning

Income Tax Credit – Wineries and Vineyards

Favorable report adopted.

FLOOR AMENDMENT

HB1017/279130/1

BY: Budget and Taxation Committee

AMENDMENT TO HOUSE BILL 1017

(Third Reading File Bill)

On page 5, in line 12, strike “\$2,000,000” and substitute “\$500,000”.

The preceding amendment was read and adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON JUDICIAL PROCEEDINGS REPORT #31

Senator Frosh, Chair, for the Committee on Judicial Proceedings reported favorably:

House Bill 1396 – Delegates Conaway, Vallario, Anderson, Cluster, Dumais, Dwyer, Glass, Hough, K. Kelly, McDermott, Mitchell, Rosenberg, and Simmons

AN ACT concerning

Criminal Law – Theft–Related Crimes – Penalties

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

THE COMMITTEE ON FINANCE REPORT #36

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

House Bill 621 – Delegates Niemann and Hucker

AN ACT concerning

Maryland Energy Administration – Regulated Sustainable Energy Contract Program

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

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

House Bill 1124 – Delegates Stein, Cardin, ~~and Morhaim~~ Morhaim, and Kach

AN ACT concerning

Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws

Favorable report adopted.

Read the second time and ordered prepared for Third Reading.

Senator Zirkin moved, duly seconded, to put **House Bill 1124** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 1124** on Third Reading and Final Passage.

House Bill 1124 – Delegates Stein, Cardin, ~~and Morhaim~~ Morhaim, and Kach

AN ACT concerning

Public Safety – Gas Pipelines – Implementation of Federal Pipeline Safety Laws

STATUS OF BILL: BILL ON 3RD READING.

Read the third time and passed by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1240)

The Bill was then sent to the House of Delegates.

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

House Bill 1534 – Delegates Frush, Barnes, Cardin, Conway, DeBoy, Gaines, Jameson, Kipke, Myers, Pena-Melnyk, Schuh, and Stukes

EMERGENCY BILL

AN ACT concerning

Renewable Energy Portfolio Standard – Solar Water Heating Systems

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:

House Bill 1433 – Prince George’s County Delegation

AN ACT concerning

**Prince George’s County – School Facilities Surcharge
PG 420–13**

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.

House Bill 1250 – Delegates Valderrama, Clippinger, and Valentino–Smith

AN ACT concerning

Crimes – Threat of Mass Violence

STATUS OF BILL: BILL IS ON THIRD READING FOR FINAL PASSAGE.

Senator Muse moved, duly seconded, to make the Bill a Special Order for the end of today’s business.

The motion was adopted.

House Bill 508 – Delegates Carr, Hucker, Niemann, and Reznik

AN ACT concerning

Environment – Local Stormwater Management Charges – State Property

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

HB0508/704336/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL 508

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Management Charges – State Property” and substitute “Remediation Fee – Limitation and Workgroup”; strike beginning with “providing” in line 15 down through “date” in line 24 and substitute “limiting the”

amount of a certain stormwater remediation fee assessed on property owned by a certain charitable nonprofit group or organization; establishing the Workgroup to Study Current Stormwater Management and Remediation Actions for State and Local Property; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study certain matters and make a certain determination; requiring the Workgroup to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act"; in line 25, after "to" insert "local"; and in the same line, after "management" insert "and remediation".

On page 2, in line 8, strike "and (f)(1)".

AMENDMENT NO. 2

On page 5, in line 7, strike "Except as provided in" and substitute "**SUBJECT TO**"; in lines 7, 11, 22, and 33, in each instance, strike the bracket; in line 7, strike "**PARAGRAPHS**"; in the same line, strike "**AND (3)**"; in line 11, after "(2)" insert "**(I)**"; after line 14, insert:

"(II) A STORMWATER REMEDIATION FEE ASSESSED UNDER THIS SECTION ON PROPERTY OWNED BY A CHARITABLE NONPROFIT GROUP OR ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OR (D) OF THE INTERNAL REVENUE CODE MAY NOT EXCEED \$250 PER 1/2 ACRE OF IMPERVIOUS SURFACE.";

strike in their entirety lines 15 through 21, inclusive; and in lines 22 and 33, strike "**(4)**" and "**(5)**", respectively.

On page 6, strike in their entirety lines 3 through 10, inclusive.

AMENDMENT NO. 3

On page 6, after line 10, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup to Study Current Stormwater Management and Remediation Actions for State and Local Property.

- (b) The Workgroup consists of the following members:
- (1) three members of the Senate of Maryland, appointed by the President of the Senate;
 - (2) three members of the House of Delegates, appointed by the Speaker of the House;
 - (3) the Secretary of the Environment, or the Secretary's designee;
 - (4) the Secretary of Budget and Management, or the Secretary's designee;
 - (5) two representatives of the Maryland Municipal League, appointed by the Maryland Municipal League; and
 - (6) two representatives of the Maryland Association of Counties, appointed by the Maryland Association of Counties.
- (c) The members of the Workgroup shall elect a chair from among its members.
- (d) The Department of the Environment shall provide staff for the Workgroup.
- (e) A member of the Workgroup:
- (1) may not receive compensation as a member of the Workgroup; but
 - (2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.
- (f) The Workgroup shall:
- (1) study stormwater management and remediation actions currently undertaken for property owned by units of State, county, and municipal government; and

(2) determine whether it is appropriate for local governments to impose a stormwater remediation fee on property owned by units of State, county, and municipal government.

(g) On or before December 31, 2013, the Workgroup shall report its findings and recommendations to the General Assembly in accordance with § 2-1246 of the State Government Article.”;

in line 11, strike “2.” and substitute “3.”; and in line 12, strike “July 1, 2014” and substitute “June 1, 2013. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of May 31, 2014, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect”.

The preceding 3 committee amendments were withdrawn.

Senator Kasemeyer moved, duly seconded, to make the Bill and Report a Special Order for the end of today’s business.

The motion was adopted.

MESSAGE TO THE SENATE

BILL: HB 1499

SPONSOR: The Spkr (Campaign Finance Comm), et al

SUBJECT: Campaign Finance Reform Act of 2013

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Should the Senate prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the House appoints:

Delegate Cardin, Chairman

Delegate Summers, and

Delegate George.

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 1499

SPONSOR: The Spkr (Campaign Finance Comm), et al

SUBJECT: Campaign Finance Reform Act of 2013

The Senate does not recede in the Senate amendments and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The House has appointed:

Delegate Cardin, Chair

Delegate Summers

Delegate George

The Senate appoints:

Senator Ferguson, Chairman

Senator Dyson

Senator Jennings.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

MESSAGE TO THE SENATE

BILL: SB 0207

SPONSOR: Sen Brochin, et al

SUBJECT: Vehicle Laws – Speed Monitoring and Work Zone Speed Control Systems

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Raskin, Chair
Senator Brochin
Senator Shank

The House appoints:
Delegate Malone, Chairman
Delegate Stein, and
Delegate McMillan.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB 0809
SPONSOR: Sen Frosh
SUBJECT: Maryland Legal Services Corporation Funding – Abandoned Property Funds

By the Majority Leader:
Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Frosh, Chair
Senator Gladden
Senator Getty

The House appoints:
Delegate Guzzone, Chairman
Delegate Zucker, and
Delegate McConkey.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

MESSAGE TO THE SENATE

BILL: SB 0897

SPONSOR: Sen Klausmeier

SUBJECT: Consumer Protection – Security Freezes – Children in Foster Care Settings

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates does not recede in the House Amendments to the Senate Bill and agrees to a Conference Committee to confer on the disagreeing votes of the two Houses.

The Senate has appointed:
Senator Klausmeier, Chair
Senator Kittleman
Senator Garagiola

The House appoints:
Delegate Jameson, Chairman
Delegate Haddaway–Ricchio, and
Delegate Schulz.

Said Bill is returned herewith.

By Order,

Sylvia Siegert
Chief Clerk

Read and ordered journalized.

THIRD READING FILE

The presiding officer submitted the following Bills for Third Reading:

THIRD READING CALENDAR (HOUSE BILLS) #67

Senate Bill 743 – Senators Jones–Rodwell ~~and Ferguson~~, Ferguson, Conway, McFadden, Gladden, and Pugh

AN ACT concerning

Baltimore City Public Schools Construction Authority and Revitalization Act of 2013

Read the third time and passed by yeas and nays as follows:

Affirmative – 40 Negative – 6 (See Roll Call No. 1241)

The Bill was then sent to the House of Delegates.

CONCURRENCE CALENDAR #32

AMENDED IN THE HOUSE

Senate Bill 471 – Senator Mathias

AN ACT concerning

Somerset County – Alcoholic Beverages – Location Restrictions

Senator Conway moved that the Senate concur in the House amendments.

SB0471/223298/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 471

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Location Restrictions” and substitute “Selling Near Schools, Places of Worship, Public Libraries, and Youth Centers”; in line 3, strike “creating an exception” and substitute “making certain exceptions”; in the same line, strike “in” and substitute “against the”; in the same line, after “County” insert “Board of License Commissioners”; in line 4, strike “against”; in the same line, strike “at an establishment” and substitute “for certain establishments”; in line 5, strike “a certain

distance” and substitute “300 feet”; and in line 6, after “to” insert “the issuance of a license to sell”.

AMENDMENT NO. 2

On page 1, in line 17, strike “In” and substitute “**(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IN**”.

On page 2, strike beginning with “UNLESS:” in line 2 down through “ESTABLISHMENT” in line 8 and substitute:

“(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO:

(I) A LICENSED ESTABLISHMENT THAT EXISTED BEFORE THE SCHOOL, CHURCH OR OTHER PLACE OF WORSHIP, PUBLIC LIBRARY, OR YOUTH CENTER WAS BUILT WITHIN 300 FEET OF THE LICENSED ESTABLISHMENT; AND

(II) AN ESTABLISHMENT WHOSE PREVIOUS OWNER WAS THE HOLDER OF A LICENSE TO SELL ALCOHOLIC BEVERAGES”.

AMENDMENT NO. 3

On page 2, in line 12, strike “July” and substitute “October”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1242)

AMENDED IN THE HOUSE

Senate Bill 547 – Senators Middleton and Frosh

AN ACT concerning

Natural Resources – Nuisance Organisms – Penalties

Senator Conway moved that the Senate concur in the House amendments.

SB0547/260812/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 547

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 6 down through “circumstances;” in line 8.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 14 through 23, inclusive.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1243)

AMENDED IN THE HOUSE

Senate Bill 671 – ~~Senator Conway~~ Senators Conway and Dyson

AN ACT concerning

Land Use – Local Comprehensive Planning and Zoning Cycle

Senator Conway moved that the Senate concur in the House amendments.

SB0671/270111/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 671

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 20 down through “circumstances;” in line 22; and in line 23, after “circumstances;” insert “providing for a certain construction of this Act; requiring a local jurisdiction to comply with certain provisions of law concerning growth tiers except under certain circumstances;”.

AMENDMENT NO. 2

On page 3, in line 24, strike “ZONING AND ORDINANCES” and substitute “COMPREHENSIVE REZONING”; in line 26, after “ANY” insert “SIGNIFICANT”; in line 27, strike “OR”; in the same line, after the second “PROGRAMS” insert “, OR STATE REQUIREMENTS”; and strike beginning with “SMART” in line 31 down through “IN” in line 32 and substitute “IMPLEMENTATION OF”.

On page 4, in line 2, strike “SCHEDULED, PLANNED, AND” and substitute “A SUMMARY OF ANY”.

AMENDMENT NO. 3

On page 6, in line 23, strike “Notwithstanding” and substitute “If a local jurisdiction chooses to adopt growth tiers under Title 1, Subtitle 5 of the Land Use Article, and notwithstanding”; in line 25, strike “under Title 1, Subtitle 5 of the Land Use Article”; in line 29, after “jurisdiction” insert “adopts a growth tier but”; in the same line, strike “all of”; in the same line, strike “tiers” and substitute “tier”; and strike beginning with “section” in line 30 down through “and” in line 32.

On page 7, in line 1, strike “(2) the growth tiers” and substitute “section, the growth tier”; and after line 2, insert:

“(c) This Act may not be construed as requiring a local jurisdiction to adopt, amend, or repeal growth tiers under Title 1, Subtitle 5 of the Land Use Article.

(d) Except as provided in subsection (a) of this section, a local jurisdiction shall comply with Title 1, Subtitle 5 of the Land Use Article when adopting growth tiers.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1244)

AMENDED IN THE HOUSE

Senate Bill 764 – Senator Conway

AN ACT concerning

Task Force to Study Housing and Supportive Services for Unaccompanied Homeless Youth

Senator Conway moved that the Senate concur in the House amendments.

SB0764/234765/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 764

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 8, after “a” insert “general”; in the same line, after “of” insert “knowledge about the”; in line 9, strike “including a lack” and substitute “such as the availability”; in line 13, strike “The foster care system is” and substitute “Current systems are”; in line 15, strike “child welfare” and substitute “child-serving”; in the same line, strike “too old to enter foster care” and substitute “not eligible for existing programs and services”; in line 17, strike “foster or adoptive parents” and substitute “parental figures”; in line 18, strike “foster” and substitute “congregate”; and in line 19, after “secure,” insert “affordable.”.

AMENDMENT NO. 2

On page 2, in line 25, after “(a)” insert “In this section, “unaccompanied homeless youth” means an individual who:

- (1) is between the ages of 14 and 25 years;
- (2) lacks a fixed, regular, and adequate nighttime residence; and
- (3) is not in the physical custody of a parent or guardian.

(b)”;

in line 27, strike “(b)” and substitute “(c)”.

On page 3, in line 3, strike “and”; after line 3, insert:

“(7) the State Superintendent of Schools, or the State Superintendent’s designee; and”;

and in line 4, strike “(7)” and substitute “(8)”.

AMENDMENT NO. 3

On page 3, strike in their entirety lines 6 and 7; in lines 8, 11, and 14, strike “(iii)”, “(iv)”, and “(v)”, respectively, and substitute “(ii)”, “(iii)”, and “(iv)”, respectively; strike in its entirety line 16; after line 16, insert:

“(d) The representative from the Governor’s Office for Children shall serve as Chair of the Task Force.”;

in lines 17, 19, and 23, strike “(d)”, “(e)”, and “(f)”, respectively, and substitute “(e)”, “(f)”, and “(g)”, respectively; strike beginning with “Department” in line 17 down through “Hygiene” in line 18 and substitute “Governor’s Office for Children”; in line 24, after “(1)” insert “compile existing information on and”; in the same line, strike “and study”; in line 25, strike “between 13 and 25 years of age”; in the same line, strike “evaluate” and substitute “identify”; after line 26, insert:

“(2) identify gaps in public and private sector programs and resources currently available to meet the needs of unaccompanied homeless youth.”;

in lines 27 and 30, strike “(2)” and “(3)”, respectively, and substitute “(3)” and “(4)”, respectively; in line 27, strike “evaluate” and substitute “compile”; and in line 28, after “including” insert “the causes of homelessness in this population and”.

AMENDMENT NO. 4

On page 4, in line 5, strike “(4)” and substitute “(5)”; in line 7, strike “(g)” and substitute “(h)”; and in the same line, strike “December” and substitute “November”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1245)

AMENDED IN THE HOUSE

Senate Bill 949 – Senator Mathias

AN ACT concerning

Worcester County – Alcoholic Beverages

Senator Conway moved that the Senate concur in the House amendment.

SB0949/953593/1

BY: Economic Matters Committee

AMENDMENT TO SENATE BILL 949

(Third Reading File Bill)

On page 1, in line 18, strike “the Director of”.

On page 2, strike in their entirety lines 14 through 18, inclusive.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1246)

AMENDED IN THE HOUSE

Senate Bill 965 – Senator Rosapepe

AN ACT concerning

Maryland Smart Growth Investment Fund Workgroup

Senator Conway moved that the Senate concur in the House amendments.

SB0965/440311/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 965

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 14, strike “the Laws of Maryland read as follows”.

On page 2, in line 25, strike “moneys” and substitute “money”.

AMENDMENT NO. 2

On page 2, after line 6, insert:

“(5) the Secretary of Budget and Management, or the Secretary’s designee;”;

in lines 7 and 8, strike “(5)” and “(6)”, respectively, and substitute “(6)” and “(7)”, respectively; and strike in their entirety lines 9 and 10.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1247)

AMENDED IN THE HOUSE

Senate Bill 1004 – Calvert County Senators

AN ACT concerning

Calvert County – Alcoholic Beverages – Sunday Sales

Senator Conway moved that the Senate concur in the House amendments.

SB1004/343395/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 1004

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, insert “EMERGENCY BILL”; and in line 5, after “Sunday;” insert “making this Act an emergency measure;”.

AMENDMENT NO. 2

On page 2, strike beginning with “shall” in line 3 down through “2013” in line 4 and substitute “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 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1248)

AMENDED IN THE HOUSE

Senate Bill 1029 – ~~Senator Middleton~~ Senators Middleton, Dyson, and Jennings Jennings, and Glassman

AN ACT concerning

Maryland Agricultural Certainty Program

Senator Conway moved that the Senate concur in the House amendments.

SB1029/840917/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 1029

(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, in line 46, after “committee” insert “to monitor and provide oversight on certain policies and standards,”; and in the same line, after “regulations” insert a comma.

AMENDMENT NO. 2

On page 8, in line 29, after “CERTIFICATION” insert “, INCLUDING THIS SUBTITLE AND THE TERMS AND CONDITIONS OF THE CERTAINTY AGREEMENT ENTERED INTO UNDER THIS SUBTITLE”.

AMENDMENT NO. 3

On page 12, in line 35, strike “**THE**” and substitute “**ON OR BEFORE DECEMBER 31, 2014, AND EACH DECEMBER 31 THEREAFTER, THE**”.

AMENDMENT NO. 4

On page 13, in lines 4, 27, and 29, in each instance, strike “**STAKEHOLDER**” and substitute “**OVERSIGHT**”; and in line 27, strike “**A**” and substitute “**AN**”.

On page 14, in line 1, strike “**STAKEHOLDER**” and substitute “**OVERSIGHT**”; after line 1, insert:

“**(1) MONITOR AND PROVIDE OVERSIGHT ON THE DEVELOPMENT AND IMPLEMENTATION OF POLICIES AND STANDARDS RELATING TO THE PROGRAM;**”;

in lines 2 and 4, strike “**(1)**” and “**(2)**”, respectively, and substitute “**(2)**” and “**(3)**”, respectively; and in line 4, strike “**4 YEARS**” and substitute “**YEAR**”.

The preceding 4 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 37 Negative – 10 (See Roll Call No. 1249)

AMENDED IN THE HOUSE

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

Senator Frosh moved that the Senate concur in the House amendments.

SB0072/170219/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 72
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “establishing” insert “a”; and in line 11, strike “penalties” and substitute “penalty”.

AMENDMENT NO. 2

On page 2, in line 22, strike “**THE LESSER OF**”; in the same line, strike “**\$50,000 OR**” and substitute “**\$10,000**”; in lines 22 and 23, strike “**THE TOTAL COST OF THE DAMAGE TO THE STATE**”; and in lines 23 and 24, strike “**, COUNTY, OR MUNICIPAL HIGHWAY**”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1250)

CONCURRENCE CALENDAR #33**AMENDED IN THE HOUSE**

**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**

Senator Conway moved that the Senate concur in the House amendments.

SB0066/513894/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 66

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after the first semicolon insert “requiring the Governor to remove a member of the Commission if the member does not attend at least a certain number of certain Commission meetings, subject to an exception; requiring certain notice to be provided to the Governor; requiring the Governor to appoint a successor under certain circumstances;”; and in line 12, after “8-202(a)” insert “and (g)”.

AMENDMENT NO. 2

On page 2, after line 10, insert:

“(g) **(1)** The Governor may remove a member for incompetence or misconduct.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION AND SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, THE GOVERNOR SHALL REMOVE A MEMBER IF THE MEMBER DID NOT ATTEND AT LEAST TWO-THIRDS OF THE COMMISSION MEETINGS HELD DURING THE PRIOR YEAR WHILE THE MEMBER WAS SERVING ON THE COMMISSION.

(3) THE GOVERNOR MAY ALLOW A MEMBER TO CONTINUE SERVING IF THE MEMBER HAS BEEN UNABLE TO ATTEND MEETINGS FOR REASONS SATISFACTORY TO THE GOVERNOR AND THE REASONS ARE MADE PUBLIC.

(4) IN ACCORDANCE WITH § 8-501 OF THE STATE GOVERNMENT ARTICLE, THE CHAIRMAN SHALL PROVIDE NOTICE TO THE GOVERNOR AND THE GOVERNOR SHALL APPOINT A SUCCESSOR.”.

AMENDMENT NO. 3

On page 2, in line 12, strike “A” and substitute “**(I)** SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A”; and after line 13, insert:

“**(II)** A QUORUM MAY NOT BE FEWER THAN 4 MEMBERS.”.

The preceding 3 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 45 Negative – 0 (See Roll Call No. 1251)

AMENDED IN THE HOUSE

Senate Bill 510 – Senator Pinsky

AN ACT concerning

**Institutions of Higher Education – Fully Online Distance Education
Programs – Regulation**

Senator Conway moved that the Senate concur in the House amendments.

SB0510/884660/1

BY: Appropriations Committee

AMENDMENTS TO SENATE BILL 510

(Third Reading File Bill)

AMENDMENT NO. 1

On pages 1 and 2, strike beginning with “altering” in line 25 on page 1 down through “policy;” in line 5 on page 2.

On page 2, in line 25, strike “11–202.2” and substitute “11–202.2(a), (b), (c), (f), and (g)”.

AMENDMENT NO. 2

On pages 6 and 7, strike in their entirety the lines beginning with line 25 on page 6 through line 31 on page 7, inclusive.

On page 8, in lines 1 and 6, in each instance, strike the brackets; in line 1, strike “(G)”; and in line 6, strike “(H)”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1252)

CONCURRENCE CALENDAR #34

AMENDED IN THE HOUSE

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

Senator Conway moved that the Senate concur in the House amendment.

SB0587/265761/2

BY: Committee on Ways and Means

AMENDMENT TO SENATE BILL 587

(Third Reading File Bill)

On page 4, in line 13, strike “**(I)**”; strike beginning with “**FOR**” in line 13 down through “**MAY**” in line 14 and substitute “**MAY**”; in line 24, strike “**MANAGEMENT; AND**” and substitute “**MANAGEMENT.**”; and strike in their entirety lines 25 through 32, inclusive.

The preceding amendment was read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 46 Negative – 0 (See Roll Call No. 1253)

AMENDED IN THE HOUSE

Senate Bill 815 – Senator Shank

AN ACT concerning

~~Nonpublic Schools~~ Primary and Secondary Education – Epinephrine
Availability and Use – Policy and Immunity

Senator Conway moved that the Senate concur in the House amendments.

SB0815/205963/1

BY: Committee on Ways and Means

AMENDMENTS TO SENATE BILL 815

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Primary and Secondary Education” and substitute “Public and Nonpublic Schools”.

AMENDMENT NO. 2

On page 2, in line 21, strike “SIGNS AND”; strike beginning with “BY” in line 22 down through “ANAPHYLAXIS” in line 25; strike beginning with the comma in line 29 down through “TO” in line 30; and in line 30, strike the comma.

On page 3, strike in their entirety lines 1 through 3, inclusive; and after line 3, insert:

“(5) A REQUIREMENT THAT EACH PUBLIC SCHOOL DEVELOP AND IMPLEMENT A METHOD FOR NOTIFYING THE PARENTS OR GUARDIANS OF STUDENTS OF THE SCHOOL’S POLICY UNDER THIS SECTION AT THE BEGINNING OF EACH SCHOOL YEAR.”

On page 4, in line 21, strike “AND”; after line 21, insert:

“(5) A REQUIREMENT THAT THE NONPUBLIC SCHOOL DEVELOP AND IMPLEMENT A METHOD FOR NOTIFYING THE PARENTS OR GUARDIANS OF STUDENTS OF THE SCHOOL’S POLICY UNDER THIS SECTION AT THE BEGINNING OF EACH SCHOOL YEAR; AND”;

and in line 22, strike “(5)” and substitute “(6)”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1254)

CONCURRENCE CALENDAR #35

AMENDED IN THE HOUSE

Senate Bill 846 – Senator Conway

AN ACT concerning

Courts – Baltimore City Sheriff and Fees for Filing and Service of Process

Senator Frosh moved that the Senate concur in the House amendments.

SB0846/190716/1

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 846

(Third Reading File Bill)

AMENDMENT NO. 1

On page 3, strike in their entirety lines 15 through 17, inclusive.

AMENDMENT NO. 2

On page 3, in line 19, strike “\$500” and substitute “\$400”.

The preceding 2 amendments were read and concurred in.

The Bill, as amended, was placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1255)

THE COMMITTEE ON RULES REPORT #19

Senator Klausmeier, Chair, for the Committee on Rules moved the following Bill be re-referred to the Committee on Education, Health, and Environmental Affairs:

House Bill 34 – ~~Delegate Aumann~~ Delegates Aumann, Kipke, McDonough, Oaks, and Pena-Melnyk

AN ACT concerning

State Government – Commemorative Day – German–American Heritage Day

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 Budget and Taxation:

House Bill 43 – Delegate Glass

AN ACT concerning

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

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:

House Bill 77 – Delegate McHale

AN ACT concerning

State Government – Commemorative Month – Irish American Heritage Month

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:

House Bill 530 – Delegate Pena–Melnyk

AN ACT concerning

Education – ~~School Vehicle – On–Board Attendant Vehicles~~ Authorized Riders

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:

House Bill 778 – Delegates Conway, Costa, Jacobs, Malone, Morhaim, Otto, Rudolph, ~~and Wood~~ Wood, Hubbard, and Krebs

AN ACT concerning

Local Government – Fire, Rescue, and Ambulance Funds – Distribution of ~~Money to Volunteer Companies~~

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:

House Bill 959 – Delegate Lee (Commission on Maryland Cybersecurity Innovation and Excellence) and Delegates Bobo, Cullison, DeBoy, Dumais, Eckardt, Healey, Hough, McDonough, A. Miller, Mizeur, Pendergrass, B. Robinson, S. Robinson, Stocksdale, F. Turner, and Valderrama

AN ACT concerning

Governmental Procedures – Security and Protection of Information

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:

House Bill 1348 – Chair, Health and Government Operations Committee (By Request – Department of Legislative Services)

AN ACT concerning

Maryland Program Evaluation Act – Revisions and Clarifications

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:

House Bill 1482 – Delegate Cane

AN ACT concerning

Hunting – Domesticated, ~~Stray, or Feral~~ Animals – Prohibited Acts

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:

House Bill 1502 – Delegates Healey, Barve, Boteler, George, Hixson, Howard, Ivey, A. Miller, V. Turner, and A. Washington

SECOND PRINTING

AN ACT concerning

Task Force to Study a Post-Labor Day Start Date for Maryland Public Schools

The bill was re-referred to the Committee on Education, Health, and Environmental Affairs.

CONFERENCE COMMITTEE REPORT

BILL NO.: HB 372 SPONSOR: Delegate Barve

SUBJECT: Recordation and Transfer Taxes – Transfer of Property Between Related Entities – Exemption

THIRD READING CALENDAR HOUSE NO. 36 SENATE NO. 10

Hon. Thomas V. Mike Miller, Jr., President of the Senate
Hon. Michael E. Busch, Speaker of the House of Delegates

Your Conference Committee on the Disagreeing votes of the two Houses has met and, after full and free conference, recommends:

(1) That the attached Budget and Taxation Committee Amendments Nos. 1 and 3 (HB0372/439438/1) be rejected.

(2) That the attached Budget and Taxation Committee Amendment No. 2 (HB0372/439438/1) be adopted.

HB0372/439438/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 372

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “Act;” insert “providing for the termination of this Act;”.

AMENDMENT NO. 2

On page 2, strike beginning with “PARTNERSHIP” in line 4 down through “PARTNERSHIP,” in line 5; in line 5, strike the second comma; in line 6, strike “PARTNER,”; in the same line, strike the second comma; strike beginning with “PARTNERSHIP” in line 8 down through the first “INTEREST,” in line 9; and in line 9, strike the second comma.

AMENDMENT NO. 3

On page 3, in line 15, after “2013.” insert “It shall remain effective for a period of 5 years and, at the end of June 30, 2018, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.

Senate Members:

House Members:

Chair, **Douglas J. J. Peters**

Chair, **C. William Frick**

James N. Robey

Aruna Miller

James E. DeGrange, Sr.

Andrew A. Serafini

Read in the Senate:

Read in the House of Delegates:

Amendment Office Delivers Report to:

(X) Chief Clerk
() Secretary, Senate

Conference Committee Report read and adopted.

Bill placed on Third Reading and passed finally by yeas and nays as follows:

Affirmative – 47 Negative – 0 (See Roll Call No. 1256)

The Bill was then sent to the House of Delegates.

MESSAGE TO THE SENATE

BILL: HB 1297

SPONSOR: Del Zucker, et al

SUBJECT: Consumer Protection – Security Freezes – Children in Foster Care Settings

By the Majority Leader:

Ladies and Gentlemen of the Senate:

The House of Delegates refuses to concur in the Senate amendments and respectfully requests the Senate recede from its position.

Said Bill is returned herewith.

By Order,

Sylvia Siegert

Chief Clerk

Read and ordered journalized.

MESSAGE TO THE HOUSE OF DELEGATES

By the Majority Leader:

Ladies and Gentlemen of the House of Delegates:

BILL: HB 1297

SPONSOR: Del Zucker, et al

SUBJECT: Consumer Protection – Security Freezes – Children in Foster Care Settings

The Senate does not recede in the Senate amendments, and respectfully requests the House reconsider and concur.

Should the House prefer a Conference Committee to confer on the disagreeing votes of the two Houses, the Senate appoints:

Senator Klausmeier, Chairman
Senator Kittleman
Senator Garagiola.

Said Bill is returned herewith.

By Order,

William B. C. Addison, Jr.,

Secretary

Read and adopted.

SPECIAL ORDERS

The presiding officer submitted the Special Orders of the day, as follows:

House Bill 508 – Delegates Carr, Hucker, Niemann, and Reznik

AN ACT concerning

Environment – Local Stormwater Management Charges – State Property

STATUS OF BILL: QUESTION IS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS (3) AND THE FAVORABLE REPORT.

Favorable report adopted.

FLOOR AMENDMENT

HB0508/773422/2

BY: Senator Kasemeyer

AMENDMENTS TO HOUSE BILL 508

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Management Charges – State Property” and substitute “Remediation Fees”; strike beginning with “providing” in line 15 down through “date” in line 24 and substitute “prohibiting a certain county or municipality from assessing or collecting a certain stormwater remediation fee before a certain date, with a certain exception; requiring a county or municipality to provide public”

notice of a certain schedule of fees on or before a certain date; establishing the Workgroup to Study Current Stormwater Management and Remediation Actions for State and Local Property; providing for the composition, chair, and staffing of the Workgroup; prohibiting a member of the Workgroup from receiving certain compensation, but authorizing the reimbursement of certain expenses; requiring the Workgroup to study certain matters and make a certain determination; requiring the Workgroup to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of certain provisions of this Act”; in line 25, after “to” insert “local”; and in the same line, after “management” insert “and remediation”.

On page 2, after line 5, insert:

“BY repealing and reenacting, without amendments,

Article – Environment

Section 4–202.1(a)

Annotated Code of Maryland

(2007 Replacement Volume and 2012 Supplement)”;

in line 8, strike “4–202.1(e)” and substitute “4–202.1(b) and (e)”; and in the same line, strike “and (f)(1)”.

AMENDMENT NO. 2

On page 5, after line 6, insert:

“(a) (1) Except as provided in paragraph (2) of this subsection, this section applies to a county or municipality that is subject to a national pollutant discharge elimination system Phase I municipal separate storm sewer system permit.

(2) This section does not apply to a county or municipality that, on or before July 1, 2012, has enacted and implemented a system of charges under § 4–204 of this subtitle for the purpose of funding a watershed protection and restoration program, or similar program, in a manner consistent with the requirements of this section.

(b) [On] SUBJECT TO SUBSECTION (E)(1) OF THIS SECTION, ON or before July 1, 2013, a county or municipality shall adopt and implement local laws or ordinances necessary to establish a watershed protection and restoration program.”;

after line 10, insert:

“(2) UNLESS A STORMWATER REMEDIATION FEE WAS ADOPTED UNDER THIS SECTION BEFORE JANUARY 1, 2013, A FEE MAY NOT BE ASSESSED OR COLLECTED UNDER THIS SECTION BEFORE JULY 1, 2015.”;

in line 11, strike “(2)” and substitute “(3)”; and strike in their entirety lines 15 through 21, inclusive.

On page 6, strike in their entirety lines 3 through 10, inclusive, and substitute:

“(5) ON OR BEFORE JULY 1, 2014, A COUNTY OR MUNICIPALITY SHALL PROVIDE PUBLIC NOTICE OF THE SCHEDULE OF FEES ESTABLISHED BY THE COUNTY OR MUNICIPALITY UNDER THIS SECTION.”.

AMENDMENT NO. 3

On page 6, after line 10, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) There is a Workgroup to Study Current Stormwater Management and Remediation Actions for State and Local Property.

(b) The Workgroup consists of the following members:

(1) three members of the Senate of Maryland, appointed by the President of the Senate;

(2) three members of the House of Delegates, appointed by the Speaker of the House;

(3) the Secretary of the Environment, or the Secretary’s designee;

(4) the Secretary of Budget and Management, or the Secretary’s designee;

(5) two representatives of the Maryland Municipal League, appointed by the Maryland Municipal League; and

(6) two representatives of the Maryland Association of Counties, appointed by the Maryland Association of Counties.

(c) The members of the Workgroup shall elect a chair from among its members.

(d) The Department of the Environment shall provide staff for the Workgroup.

(e) A member of the Workgroup:

(1) may not receive compensation as a member of the Workgroup; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Workgroup shall:

(1) study stormwater management and remediation actions currently undertaken for property owned by units of State, county, and municipal government; and

(2) determine whether it is appropriate for local governments to impose a stormwater remediation fee on property owned by units of State, county, and municipal government.

(g) On or before December 31, 2013, the Workgroup shall report its findings and recommendations to the General Assembly in accordance with § 2-1246 of the State Government Article.”;

in line 11, strike “2.” and substitute “3.”; and in line 12, strike “July 1, 2014” and substitute “June 1, 2013. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of May 31, 2014, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect”.

The preceding 3 amendments were read and adopted by a roll call vote as follows:

Affirmative – 34 Negative – 13 (See Roll Call No. 1257)

Read the second time and passed by a roll call vote as follows:

Affirmative – 34 Negative – 12 (See Roll Call No. 1258)

Senator Kasemeyer moved, duly seconded, to put **House Bill 508** on Third Reading on the same day in compliance with the Constitution.

Two-thirds of the Senators elected having voted in the affirmative by yeas and nays to put **House Bill 508** on Third Reading and Final Passage.

House Bill 508 – Delegates Carr, Hucker, Niemann, and Reznik

AN ACT concerning

Environment – Local Stormwater Management Charges – State Property

STATUS OF BILL: BILL ON 3RD READING.

Read the third time and passed by yeas and nays as follows:

Affirmative – 34 Negative – 13 (See Roll Call No. 1259)

The Bill was then sent to the House of Delegates.

ADJOURNMENT

At 7:09 P.M. on motion of Senator Garagiola, seconded, the Senate adjourned until 7:55 P.M. on Legislative Day April 5, 2013, Calendar Day, Monday, April 8, 2013.